



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 22 2015

CERTIFIED MAIL 70091680000076487702
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Brian Roper
Director, EH&S
EMCO Chemical Inc.
8601 95th Street
Pleasant Prairie, Wisconsin 53158

Re: Notice of Violation
Compliance Evaluation Inspection
WID 988 621 447

Dear Mr. Roper:

On June 25, 2015 a representative of the U.S. Environmental Protection Agency inspected the EMCO Chemical Inc. facility located in Pleasant Prairie, Wisconsin (EMCO). As a large quantity generator of hazardous waste, EMCO is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (RCRA). The purpose of the inspection was to evaluate EMCO's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by EMCO, EPA's review of records pertaining to EMCO, and the inspector's observations, EPA has determined that EMCO has unlawfully stored hazardous waste without a license or interim status as a result of EMCO's violation of certain requirements for a license exemption under Wis. Admin. Code § NR 662.034(1)-(3). EPA has identified the license exemption requirement(s) violated by EMCO as of the date of the inspection in paragraphs 1 - 7, below.

Also, EPA has determined that EMCO violated RCRA requirements related to recordkeeping and reporting, and land disposal restriction as described in paragraphs 8 - 10, below.

STORAGE OF HAZARDOUS WASTE WITHOUT A LICENSE OR INTERIM STATUS

At the time of the inspection, EMCO violated the following large quantity generator license exemption requirements:

1. Personnel Training

Under Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(2) [40 C.F.R. § 262.34(a)(4) and 265.16(a)(1)], a large quantity generator must have a program of classroom

instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with requirements of RCRA. This program must be directed by a person trained in hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(2) [40 C.F.R. § 262.34(a)(4) and 265.16(a)(2)]. Facility personnel must successfully complete this training program within six months after the date of their employment or assignment to a facility or to a new position at the facility, and must take part in annual review of this initial training thereafter. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(3) [40 C.F.R. § 262.34(a)(4) and 265.16(b) and (c)].

With respect to this training program, a large quantity generator must maintain the following documents and records at the facility:

- 1) The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
- 2) A written job description for each position at the facility related to hazardous waste management;
- 3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling the position at the facility related to hazardous waste management; and
- 4) Records that document that the training or job experience described above has been given to and completed by facility personnel. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016 (4) and (5) [40 C.F.R. § 262.34(a)(4) and 265.16(d)].

EMCO did not provide written description of the amount of introductory and continuing training given to employees with duties related to hazardous waste management for the following personnel:

1. Brian Roper, 2013, 2014, 2015
2. Randy Kimball, 2013, 2014, 2015
3. Amanda Phillips, 2013
4. Nick Ruseziak, 2013 and 2015
5. Larry Mitsch, 2013 and 2014
6. Terry Aubry Garrett, 2013 and 2015
7. Tony Simon, 2013, 2014, 2015
8. Jaime Banak, 2013, 2014, 2015

2. Date When Each Period of Accumulation Begins

Under Wis. Admin. Code § NR 662.034(1)(b) [40 C.F.R. § 262.34(a)(2)], a large quantity generator must clearly mark each container holding hazardous waste with the date upon which each period of accumulation begins.

At the time of the inspection, EMCO maintained 6 cubic yard containers of flammable liquids and sample retains that were not marked with the date upon which each period of accumulation of hazardous waste began.

3. Hazardous Waste Container Weekly Inspections

Under Wis. Admin. Code § NR 662.034(1)(a)1 and 665.0174 [40 C.F.R. § 262.34(a)(1)(i); 265.174], a large quantity generator of hazardous waste that accumulates hazardous waste in containers must inspect, at least weekly, the areas the containers are stored.

At the time of the inspection, EMCO did not provide records to demonstrate the weekly inspection of containers stored in the less than 90 day storage area.

4. Aisle Space

Also under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0035 [40 C.F.R. §§ 262.34(a)(4) and 265.35], a large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

At the time of the inspection, EMCO did not provide adequate aisle space at the satellite accumulation/less than 90 day hazardous waste storage area.

5. Contingency Plan and Emergency Procedures

Under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0053(2) [40 C.F.R. §§ 262.34(a)(4) and 265.53(b)], a large quantity generator must ensure that a copy of the contingency plan and all revisions to the plan be submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.

EMCO did not provide documentation to demonstrate the forwarding of its contingency plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that might be called upon to provide emergency services.

6. Preparedness and Prevention

Under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0037 [40 C.F.R. §§ 262.34(a)(4) and 265.37(a)], a large quantity generator must attempt to make the following arrangements, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations:

- 1) Arrangements to familiarize, police, fire departments, and emergency teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
- 2) Where more than one police and fire department might respond to an emergency, agreements designating the primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;
- 3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
- 5) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

Also under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0037 [40 C.F.R. §§ 262.34(a)(4) and 265.37(b)], where a State and local authorities decline to enter into such agreements, the large quantity generator must document the refusal in the operating record.

EMCO did not provide records to demonstrate the attempts to make arrangements and form agreements to all designated local police departments, fire departments, hospitals, and State and local emergency response providers. Additionally, EMCO did not provide documentation to demonstrate the local hospital's awareness of the properties of the waste handled at the facility and the types of injuries or illnesses that could result from an emergency.

7. Satellite Accumulation

Under Wis. Admin. Code § NR 662.034(3)(b) [40 C.F.R. § 262.34(c)(2)], a large quantity generator must mark the container holding excess accumulation of hazardous waste with the date the excess amount began accumulating.

At the time of the inspection, EMCO maintained thirty 55-gallon drums labelled as Hazardous Waste (Waste Flammable Liquids) that were not marked with the date upon which the excess amount began accumulation.

Summary: By violating the requirements for a license exemption, above, EMCO became an operator of a hazardous waste storage facility, and was required to obtain a Wisconsin hazardous waste storage license. EMCO failed to apply for such a license. EMCO's failure to apply for and obtain a hazardous waste storage license violated the requirements of Wis. Admin. Code §§ NR 680.30, 680.31, and 680.32 [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)].

OTHER VIOLATIONS

8. Hazardous Waste Recordkeeping

Under Wis. Admin. Code § NR 662.040(3) [40 C.F.R. § 262.40(c)], a generator must keep records of any test, waste analyses, or other determinations made in accordance with §262.11 for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

During the inspection the inspector observed the storage of containers labeled as non-hazardous waste in the following areas: (1) the Loading and Unloading #2 Satellite Accumulation Area; (2) Tote Wash Satellite Accumulation Area; and (3) Warm Room Satellite Accumulation Area. However, EMCO did not provide record to demonstrate if a hazardous waste determination was conducted for each of the non-hazardous wastes that were observed stored in the three locations mentioned above.

9. Hazardous Waste Determination

Under Wis. Admin. Code § NR 662.011[40 C.F.R. § 262.11], a generator must determine whether its waste is hazardous.

At the time of the inspection, the inspector observed cubic yard containers labeled as a Flammable Sample Retains with a waste code of D035. However, the hazardous waste determination document that was submitted EPA for Flammable Sample Retains did not show a waste code of D035. EMCO therefore violated the above-referenced generator requirement.

10. Land Disposal Restriction

Under Wis. Admin. Code § NR 668.07(1)(h) [40 C.F.R. § 268.7(a)(8)], a generator must retain on-site a copy of all notices, certifications, waste analysis data and other documentation produced pursuant to this section for at least 3 years from the date that the waste that is the subject of documentation was last sent to on-site or off-site treatment, storage or disposal. The 3 year record retention period is automatically extended during

the course of any unresolved enforcement action regarding the regulated activity or as requested by the department. The requirements for this subsection apply to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the hazardous waste is excluded from the definition of hazardous or solid waste.

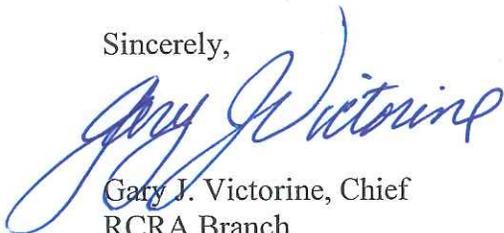
EMCO did not provide land disposal restriction notification documents for calendar years 2013, 2014, and 2015.

At this time, EPA is not requiring EMCO to apply for a Wisconsin hazardous waste storage license so long as it immediately establishes compliance with the conditions for a license exemption outlined in paragraphs 1-7, above.

During the inspection, as observed by EPA, you took certain actions to establish compliance with the above conditions in paragraphs 2 and 7. Your email did not include any actions you may have taken related to conditions in paragraphs #1, 3, 4, 5, 6, 8, 9, and 10. According to Section 3008(a) of RCRA, EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both. Although this letter is not such an order or a request for information under Section 3007 of RCRA, 42 U.S.C. § 6927, we request that you submit a response in writing to us no later than 30 days after receipt of this letter documenting the actions, if any, you have taken related to paragraphs 1, 3, 4, 5, 6, 8 and 9. You should submit your response to Cindy Dabner, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

If you have any questions regarding this letter, please contact Ms. Cindy Dabner, of my staff, at dabner.cindy@epa.gov or at 312-886-5890.

Sincerely,



Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Michael Ellenbecker, WI DNR, Michael.Ellenbecker@wisconsin.gov

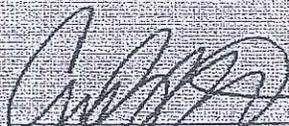


U. S. Environmental Protection Agency
Region 5, Land and Chemicals Division
RCRA Branch
77 West Jackson Boulevard
Chicago, Illinois 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME: EMCO Chemicals Distribution
EPA ID NUMBER: WID-988-621-447
ADDRESS: 8601 9th Street
Pleasant Prairie, Wisconsin 53158
DATE OF INSPECTION: June 25, 2015
EPA INSPECTOR: Cindy Dabner
Environmental Scientist

PREPARED BY:


Cindy Dabner
Compliance Section 2


Date

APPROVED BY:


Julie Morris, Chief
Compliance Section 2


Date

Purpose of Inspection

This inspection was an evaluation of the EMCO Chemical Distribution Inc.'s compliance with hazardous waste regulations found at Wisconsin Administrative Code (WAC) and the Code of Federal Regulations (CFR). The inspection was an EPA lead Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI). The site notified as large quantity generator (LQG).

Participants

Inspector(s):

Cindy Dabner, Environmental Scientist EPA
Compliance Section 2
RCRA Branch
Land and Chemical Division
U.S. Environmental Protection Agency
Region 5,
77 West Jackson Blvd
Mailcode: LR-8J
Chicago, Illinois 60604

Site Representative(s):

Brian Roper, Director, EH&S
EMCO Chemical Distribution Inc.
8601 95th Street
Pleasant Prairie, Wisconsin 53158
262-427-0400
broper@emcochem.com

Introduction

On June 25, 2015, I arrived at the site at approximately 9:50 AM. I introduced myself, presented my inspector credentials, provided my contact information, and described the purpose and process by which I intended to conduct the inspection. Mr. Roper provided me a description of the site operations, led the tour, and provided me with the records I requested for review.

I provided a Small Business Resources Information Sheet and the U.S. EPA Pollution Prevention Contact List to Mr. Roper.

I informed Mr. Roper that EMCO Chemical Distribution could claim any information gathered during the inspection as Confidential Business Information including: verbal information, documents and photographs. EMCO Chemical Distribution did not make a CBI claim on the information gathered during the inspection or made CBI claims on photos taken, documents copied and/or verbal information provided.

Site Description

EMCO is a chemical manufacturer, packager, and distributor that started in 1971. The company recently relocated its corporate office along with its manufacturing and distribution divisions to a new facility in Pleasant Prairie, Wisconsin in 2013. The new facility is located on 260,000 square feet of property and employs approximately 145 people using two shifts Monday through Friday.

Over 4,000 products are sold and distributed by EMCO including alcohols, acids, dry chemicals, and various raw materials to include paint, graphic arts, and personal care items. EMCO manufactures and distributes chemicals in Wisconsin, Illinois, Minnesota, Ohio, Indiana, Tennessee and Canada.

EMCO generates hazardous waste from unloading material, line flushing from product lines, and off-specification products. According to the facility representative, very little paint operations occurs at the facility. The site accumulates its waste in 55-gallon drums and cubic yard containers.

Based on information provided to the inspector, EMCO has an air permit with U.S. EPA and the Kenosha Water Treatment (Non-Contact Cooling) Plant.

Site Tour

I observed facility operations including: satellite accumulation areas, the less-than 90-day accumulation, solid waste areas, and emergency equipment areas. I took photographs of the various facility operations, waste operations, and waste storage/accumulation areas during the site tour. See Attachment A for photographs taken during the inspection.

The facility tour began at the Loading and Unloading #1 Satellite Accumulation Area. At this location four 55-gallon drums were observed in good condition, grounded, closed, labeled as hazardous waste, and not in excess of 55-gallons of hazardous waste. The four 55-gallon drums were marked as Controlled Line Wash, LUL 1 and Flammable. I also observed approximately seven empty 30-gallon containers, but the containers were labeled as hazardous waste and non-hazardous waste.

The tour continued to Loading and Unloading #2 Satellite Accumulation Area. I observed the following:

- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Controlled Line Wash LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Flammable Waste LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Chlorinated Waste LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Non-Hazardous Waste
- Fourteen empty 30-gallon containers, but the containers were labeled as hazardous waste and non-hazardous waste.

The facility tour proceeded to the Tote Wash Satellite Accumulation Area. I observed the following:

- two 55-gallon drums in good condition, closed, not in excess, and labeled as Hazardous Waste, Caustic Flammable Waste, Tote Wash;
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Flammable Waste;
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Acid Waste Flammable;
- One 55-gallon drum in good condition, closed, and labeled Non-Hazardous Off-Specification; and
- One 55-gallon drums in good condition, closed, not in excess and labeled as Hazardous Waste, Amines Waste.

Next the tour moved to the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area. At this location, I observed the following:

- Approximately thirty 55-gallon drums were observed in good condition, closed, marked as Hazardous Waste, labeled with DOT pre-transport information (Waste Flammable Liquids), but in-excess, and without accumulations start dates
 - The Facility representative stated that hazardous waste drums in excess of 55-gallons are immediately moved to the Satellite Accumulation Area/90 Day accumulation area. He added that the thirty 55-gallon drums observed in-excess amounts were moved to the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area earlier in the morning. He ended with a statement that the drums were within the three day period of being moved to the 90 Day Accumulation Area to be marked with accumulations start dates. The facility representative affixed accumulation start dates to the thirty 55-gallon drums at the time of the inspection;
- Approximately twelve 55-gallon drums labeled as CLW Rejected Drum#, Controlled Line Wash, Date Started, Drum#, and Controlled Line Wash LUL
 - The facility representative stated that the material is recycled and not considered a waste;
- Six cubic yard containers were observed closed, marked as hazardous waste, labeled with DOT information Flammable Liquids and Sample Retains, in good condition, but were observed without accumulation start dates
 - At the time of inspection, accumulation start dates were added to the cubic yard containers; and
- Appropriate aisle space was not maintained in the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area.

Finally, the tour concluded in the Warm Room Satellite Accumulation Area. At this location, I observed the following:

- One empty 55-gallon drum;

- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Acid Waste Flammable;
- One 55-gallon drum in good condition, closed, and labeled Non-Hazardous Off-Specification; and
- Approximately twelve 30-gallon empty containers.

Records Review

I requested the following records for review at the time of the inspection and after the inspection: waste profiles/characterizations, waste analysis records, manifests, land disposal restriction notifications (LDR), weekly container inspection logs, training records, annual reporting forms, and an emergency contingency plan. The following is the result of the review:

Waste Profiles/Characterization and Waste Analysis Records

Some waste profiles and characterizations were observed maintained at the facility. However, I requested the facility send copies of the waste analysis and profiles for all solid waste generated at the facility electronically or by mail for closer review.

On August 5, 2015, the facility representative emailed hazardous waste profiles based on generator knowledge for the following wastes:

Hazardous Waste Name	Process Generating Hazardous Waste	EPA Hazardous Waste Codes
Flammable Solid	Off-Spec Product	D001, D002
Line Wash	Chemical Manufacturing/Line Flush	D001, F003, F005
Acid Trash	Off-Spec Material	D002
Caustic Wash	Off-Spec Material	D002
Ethanolamine	Off-Spec	D002
Flammable Basic Sample Retains	QA/QC Sample retains and customer holds for virgin chemical productions	D001, D002, F003, F005
Flammable Sample Retains	QA/QC Sample retains and customer holds for virgin chemical productions	F003, F005
Flammable Caustic	Unused Material	D001, F003, D002

Hazardous waste profiles and analysis were not provided for waste that was determined to be non-hazardous. Additionally, hazardous waste labels observed on cubic yard containers storing Flammable Sample Retains showed an EPA Waste Codes (D035) that was not provided in the hazardous waste profiles for Flammable Liquids and Sample Retains.

Manifest

Three years of hazardous waste manifests were retained and made available for review. I did not observe any issues with the manifests that were reviewed for calendar years 2013, 2014, and 2015.

Land Disposal Restriction

Some land disposal restriction documents were maintained at the facility. However, I requested the facility send copies of land disposal restriction documents for 2013, 2014, and 2015 electronically or by mail for closer review.

Although the facility representative emailed a pdf file named Manifests Profiles, and LDRs on August 5, 2015, the file did not include land disposal restriction documents for 2013, 2014, and 2015.

Annual Report

I reviewed annual WDNR Hazardous Waste Report Certifications for EMCO at the time of the inspection. I did not observed any concerns during the review of the WDNR Hazardous Waste Report Certifications for 2013 and 2014.

Preparedness and Prevention

Emergency equipment was observe throughout the facility. At the time of the inspection, all emergency equipment was observed tested and maintained to ensure proper operation. However, no record was available to demonstrate the forwarding of EMCO's Contingency Plan to private, local, and state emergency providers. Nor was any documentation provided to demonstrate the local hospital's awareness of the properties of waste handled at the facility and the types of injuries or illnesses that could result from an emergency.

Contingency Plan and Emergency Procedures

A copy of EMCO's Contingency Plan was provided for review on August 5, 2015. However, no documentation was provided to indicate if copies of the plan, with all its revisions, were made available to local police, fire, hospital, and emergency response teams.

Personnel Training Requirements

Based on the information provided on August 5, 2015, it appears that EMCO has an hazardous waste training program that provides information relevant to the positions in which personnel are employed. However, based on training information provided, hazardous waste training does not appear to be conducted annually for each of the following employees.

Employee Name	Department/Title	2013 Training	2014 Training	2015 Training
Brian Roper	Primary Emergency Coordinator/Manifest	Not Available	Not Available	Not Available
Randy Kimball	Alternate Emergency Coordinator	Not Available	Not Available	Not Available
Amanda Phillips	EHS/ Manifest/SAA/<90 Day	Not Available	Available	Available
Nick Ruseziak	EHS/ Manifest/SAA/<90 Day	Not Available	Available	Not Available
Larry Mitsch	Mfg/ SAA/<90 Day	Not Available	Not Available	Available
Terry Aubry Garrett	Quality	Not Available	Available	Not Available
Tony Simon	Hazwoper Spills Incident Commander	Not Available	Not Available	Not Available
Jaime Banak	Hazwoper Spills Incident Commander	Not Available	Not Available	Not Available

Container Weekly Inspection

EMCO weekly inspection logs were not made available for review prior to submission of the inspection report.

Universal Waste and Used Oil

At the time of the inspection, no universal waste or used oil was observed managed at the facility.

I completed a Large Quantity Generator Inspection Checklist. See Attachment B for a completed inspection checklist.

EMCO provided copies of the following documents during the record review on June 25, 2015:

- Hazardous Waste Report/ Hazardous Waste Report Certification for 2013 and 2014. See Attachment C for documents copied.

Post-Inspection

EMCO provided copies of the following documents during the record review on August 5, 2015:

- Manifests, Profiles, and LDR;
- EMCO Pleasant Prairie Contingency Plan;
- Training Records;
- Hazardous Waste Training Binder; and
- EMCO Pleasant Prairie Contingency Plan.

See Attachment D for Post-Inspection Documents.

Closing Conference

I summarized the issues identified during the inspection. I again mentioned that EMCO could make claims of CBI on the material copied, photographs, and information gathered during the inspection. Mr. Roper did not make any CBI claims. The inspection concluded at approximately 3:30 PM.

Attachments

- A. Photographs and Log
- B. Checklist(s)
- C. Document(s) Copied
- D. Post-Inspection Documents

ATTACHMENT A
Photographs and Photograph Log

RCRA Inspection Photo-Log**Photographer:** Cindy Dabner**Location:** 8601 9th Street, Pleasant Prairie, Wisconsin**Date(s):** June 25, 2015

Photo #	Description	Time
1	Photograph of the Facility Sign	14:56
2	Loading and Unloading #1 Satellite Accumulation Area	14:57
3	Satellite Accumulation Area Sign Located in the Loading and Unloading #1 Area	14:57
4	Loading and Unloading #2 Satellite Accumulation Area	13:07
5	55-Gallon Drum Storing Controlled Line Wash LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:07
6	55-Gallon Drum Storing Flammable Waste LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:09
7	55-Gallon Drum Storing Chlorinated Waste LUL2 Located in the Loading and Un-Loading #1 Satellite Accumulation Area	13:10
8	55-Gallon Drum Storing Chlorinated Waste LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:10
9	Tote Wash Satellite Accumulation Area	13:29
10	Tote Wash Satellite Accumulation Area Sign	13:29
11	55-Gallon Drum Storing Acid Wash Located in the Tote Wash Satellite Accumulation Area	13:29
12	55-Gallon Drum Storing Caustic Flammable Waste Located in the Tote Wash Area	13:30
13	Hazardous Waste Label Attached to a 55-Gallon Storing Caustic Flammable Waste Located in the Tote Wash Satellite Accumulation	13:30
14	Hazardous Waste Label Attached to a 55-Gallon Drum Storing Caustic Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:30
15	55-Gallon Drum Storing Flammable Waste Located in the Tote Wash Satellite Accumulation Area	13:30
16	A Closer Picture of the Label Identified in Photograph #15	13:30
17	Hazardous Waste label Attached to a 55-Gallon Container Labeled Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:30
18	Hazardous Waste Label Attached to a 55-Gallon Container Labeled Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:31
19	55-Gallon Drum Labeled Non-Hazardous Waste Located in the Tote Wash Satellite Accumulation Area	13:31

Photo #	Description	Time
20	55-Gallon Drum Labeled Amines Waste Located in the Tote Wash Satellite Accumulation Area	13:32
21	Closer Picture of the Label Identified in Photograph#20	13:32
22	Emergency Equipment Located in the Tote Wash Satellite Accumulation Area	13:33
23	Warm Room Satellite Accumulation Area	13:41
24	Warm Room Satellite Accumulation Area Documents	13:41
25	55-Gallon Drum Labeled Acid Waste Located in the Warm Room Satellite Accumulation Area	13:41
26	55-Gallon Drum Storing Acid Waste Located in the Warm Room Satellite Accumulation Area	13:42
27	55-Gallon Drum Labeled as Non-Hazardous Waste Located in the Warm Room Satellite Accumulation Area	13:42
28	55-Gallon Drum Labeled as Non-Hazardous Waste Located in the Warm Room Satellite Accumulation Area	13:42
29	Less than 90 Day Hazardous Waste Storage Area/ Satellite Accumulation Area	13:46
30	55-gallon Drum of Control Line Waste that is Recycled	13:46
31	Cubic yard Container Labeled as Hazardous Waste Located in the 90 Day Hazardous Waste Storage Area without an Accumulation Start Date.	13:47
32	Cubic yard Container Labeled as Hazardous Waste Located in the 90 Day Hazardous Waste Storage Area without an Accumulation Start Date.	13:47
33	A Closer Picture of the Label Attached to the Cubic Yard Container	13:47
34	Six Cubic yard Containers Not Marked with Accumulation Start Date	13:48
35	Emergency Equipment Located in the Less than 90 Day Hazardous Waste Area	13:50
36	Cubic Yard Container Not Marked with Accumulation Start Date	13:52
37	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	13:56
38	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56
39	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56
40	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56

Photo #	Description	[Time
41	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	13:56
42	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	14:05
43	55-Gallon Drum Marked with Accumulation Start Date	14:06
44	Cubic Yard Container Marked with Accumulation Start Date	14:06
45	Cubic Yard Container Marked with Accumulation Start Date	14:06

ATTACHMENT B
Checklist

ATTACHMENT C
Document(s) Copied

ATTACHMENT D
Post-Inspection Documents



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 22 2015

CERTIFIED MAIL 70091680000076487702
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Brian Roper
Director, EH&S
EMCO Chemical Inc.
8601 95th Street
Pleasant Prairie, Wisconsin 53158

Re: Notice of Violation
Compliance Evaluation Inspection
WID 988 621 447

Dear Mr. Roper:

On June 25, 2015 a representative of the U.S. Environmental Protection Agency inspected the EMCO Chemical Inc. facility located in Pleasant Prairie, Wisconsin (EMCO). As a large quantity generator of hazardous waste, EMCO is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (RCRA). The purpose of the inspection was to evaluate EMCO's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by EMCO, EPA's review of records pertaining to EMCO, and the inspector's observations, EPA has determined that EMCO has unlawfully stored hazardous waste without a license or interim status as a result of EMCO's violation of certain requirements for a license exemption under Wis. Admin. Code § NR 662.034(1)-(3). EPA has identified the license exemption requirement(s) violated by EMCO as of the date of the inspection in paragraphs 1 - 7, below.

Also, EPA has determined that EMCO violated RCRA requirements related to recordkeeping and reporting, and land disposal restriction as described in paragraphs 8 - 10, below.

STORAGE OF HAZARDOUS WASTE WITHOUT A LICENSE OR INTERIM STATUS

At the time of the inspection, EMCO violated the following large quantity generator license exemption requirements:

1. Personnel Training

Under Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(2) [40 C.F.R. § 262.34(a)(4) and 265.16(a)(1)], a large quantity generator must have a program of classroom

instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with requirements of RCRA. This program must be directed by a person trained in hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(2) [40 C.F.R. § 262.34(a)(4) and 265.16(a)(2)]. Facility personnel must successfully complete this training program within six months after the date of their employment or assignment to a facility or to a new position at the facility, and must take part in annual review of this initial training thereafter. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016(3) [40 C.F.R. § 262.34(a)(4) and 265.16(b) and (c)].

With respect to this training program, a large quantity generator must maintain the following documents and records at the facility:

- 1) The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
- 2) A written job description for each position at the facility related to hazardous waste management;
- 3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling the position at the facility related to hazardous waste management; and
- 4) Records that document that the training or job experience described above has been given to and completed by facility personnel. *See* Wis. Admin. Code § NR 662.034(1)(d) and 665.0016 (4) and (5) [40 C.F.R. § 262.34(a)(4) and 265.16(d)].

EMCO did not provide written description of the amount of introductory and continuing training given to employees with duties related to hazardous waste management for the following personnel:

1. Brian Roper, 2013, 2014, 2015
2. Randy Kimball, 2013, 2014, 2015
3. Amanda Phillips, 2013
4. Nick Ruseziak, 2013 and 2015
5. Larry Mitsch, 2013 and 2014
6. Terry Aubry Garrett, 2013 and 2015
7. Tony Simon, 2013, 2014, 2015
8. Jaime Banak, 2013, 2014, 2015

2. Date When Each Period of Accumulation Begins

Under Wis. Admin. Code § NR 662.034(1)(b) [40 C.F.R. § 262.34(a)(2)], a large quantity generator must clearly mark each container holding hazardous waste with the date upon which each period of accumulation begins.

At the time of the inspection, EMCO maintained 6 cubic yard containers of flammable liquids and sample retains that were not marked with the date upon which each period of accumulation of hazardous waste began.

3. Hazardous Waste Container Weekly Inspections

Under Wis. Admin. Code § NR 662.034(1)(a)1 and 665.0174 [40 C.F.R. § 262.34(a)(1)(i); 265.174], a large quantity generator of hazardous waste that accumulates hazardous waste in containers must inspect, at least weekly, the areas the containers are stored.

At the time of the inspection, EMCO did not provide records to demonstrate the weekly inspection of containers stored in the less than 90 day storage area.

4. Aisle Space

Also under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0035 [40 C.F.R. §§ 262.34(a)(4) and 265.35], a large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

At the time of the inspection, EMCO did not provide adequate aisle space at the satellite accumulation/less than 90 day hazardous waste storage area.

5. Contingency Plan and Emergency Procedures

Under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0053(2) [40 C.F.R. §§ 262.34(a)(4) and 265.53(b)], a large quantity generator must ensure that a copy of the contingency plan and all revisions to the plan be submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.

EMCO did not provide documentation to demonstrate the forwarding of its contingency plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that might be called upon to provide emergency services.

6. Preparedness and Prevention

Under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0037 [40 C.F.R. §§ 262.34(a)(4) and 265.37(a)], a large quantity generator must attempt to make the following arrangements, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations:

- 1) Arrangements to familiarize, police, fire departments, and emergency teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
- 2) Where more than one police and fire department might respond to an emergency, agreements designating the primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;
- 3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and
- 5) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

Also under Wis. Admin. Code §§ NR 662.034(1)(d) and 665.0037 [40 C.F.R. §§ 262.34(a)(4) and 265.37(b)], where a State and local authorities decline to enter into such agreements, the large quantity generator must document the refusal in the operating record.

EMCO did not provide records to demonstrate the attempts to make arrangements and form agreements to all designated local police departments, fire departments, hospitals, and State and local emergency response providers. Additionally, EMCO did not provide documentation to demonstrate the local hospital's awareness of the properties of the waste handled at the facility and the types of injuries or illnesses that could result from an emergency.

7. Satellite Accumulation

Under Wis. Admin. Code § NR 662.034(3)(b) [40 C.F.R. § 262.34(c)(2)], a large quantity generator must mark the container holding excess accumulation of hazardous waste with the date the excess amount began accumulating.

At the time of the inspection, EMCO maintained thirty 55-gallon drums labelled as Hazardous Waste (Waste Flammable Liquids) that were not marked with the date upon which the excess amount began accumulation.

Summary: By violating the requirements for a license exemption, above, EMCO became an operator of a hazardous waste storage facility, and was required to obtain a Wisconsin hazardous waste storage license. EMCO failed to apply for such a license. EMCO's failure to apply for and obtain a hazardous waste storage license violated the requirements of Wis. Admin. Code §§ NR 680.30, 680.31, and 680.32 [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)].

OTHER VIOLATIONS

8. Hazardous Waste Recordkeeping

Under Wis. Admin. Code § NR 662.040(3) [40 C.F.R. § 262.40(c)], a generator must keep records of any test, waste analyses, or other determinations made in accordance with §262.11 for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

During the inspection the inspector observed the storage of containers labeled as non-hazardous waste in the following areas: (1) the Loading and Unloading #2 Satellite Accumulation Area; (2) Tote Wash Satellite Accumulation Area; and (3) Warm Room Satellite Accumulation Area. However, EMCO did not provide record to demonstrate if a hazardous waste determination was conducted for each of the non-hazardous wastes that were observed stored in the three locations mentioned above.

9. Hazardous Waste Determination

Under Wis. Admin. Code § NR 662.011[40 C.F.R. § 262.11], a generator must determine whether its waste is hazardous.

At the time of the inspection, the inspector observed cubic yard containers labeled as a Flammable Sample Retains with a waste code of D035. However, the hazardous waste determination document that was submitted EPA for Flammable Sample Retains did not show a waste code of D035. EMCO therefore violated the above-referenced generator requirement.

10. Land Disposal Restriction

Under Wis. Admin. Code § NR 668.07(1)(h) [40 C.F.R. § 268.7(a)(8)], a generator must retain on-site a copy of all notices, certifications, waste analysis data and other documentation produced pursuant to this section for at least 3 years from the date that the waste that is the subject of documentation was last sent to on-site or off-site treatment, storage or disposal. The 3 year record retention period is automatically extended during

the course of any unresolved enforcement action regarding the regulated activity or as requested by the department. The requirements for this subsection apply to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the hazardous waste is excluded from the definition of hazardous or solid waste.

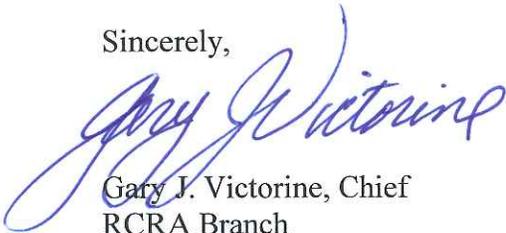
EMCO did not provide land disposal restriction notification documents for calendar years 2013, 2014, and 2015.

At this time, EPA is not requiring EMCO to apply for a Wisconsin hazardous waste storage license so long as it immediately establishes compliance with the conditions for a license exemption outlined in paragraphs 1-7, above.

During the inspection, as observed by EPA, you took certain actions to establish compliance with the above conditions in paragraphs 2 and 7. Your email did not include any actions you may have taken related to conditions in paragraphs #1, 3, 4, 5, 6, 8, 9, and 10. According to Section 3008(a) of RCRA, EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both. Although this letter is not such an order or a request for information under Section 3007 of RCRA, 42 U.S.C. § 6927, we request that you submit a response in writing to us no later than 30 days after receipt of this letter documenting the actions, if any, you have taken related to paragraphs 1, 3, 4, 5, 6, 8 and 9. You should submit your response to Cindy Dabner, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

If you have any questions regarding this letter, please contact Ms. Cindy Dabner, of my staff, at dabner.cindy@epa.gov or at 312-886-5890.

Sincerely,



Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Michael Ellenbecker, WI DNR, Michael.Ellenbecker@wisconsin.gov



U. S. Environmental Protection Agency
Region 5, Land and Chemicals Division
RCRA Branch
77 West Jackson Boulevard
Chicago, Illinois 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME: EMCO Chemicals Distribution
EPA ID NUMBER: W113-988-621-447
ADDRESS: 8601 9th Street
Pleasant Prairie, Wisconsin 53158
DATE OF INSPECTION: June 25, 2015
EPA INSPECTOR: Cindy Dabner
Environmental Scientist

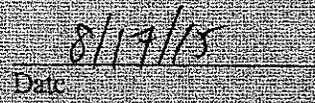
PREPARED BY:


Cindy Dabner
Compliance Section 2


Date: Aug 19, 2015

APPROVED BY:


Julie Morris, Chief
Compliance Section 2


Date: 8/19/15

Purpose of Inspection

This inspection was an evaluation of the EMCO Chemical Distribution Inc.'s compliance with hazardous waste regulations found at Wisconsin Administrative Code (WAC) and the Code of Federal Regulations (CFR). The inspection was an EPA lead Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI). The site notified as large quantity generator (LQG).

Participants

Inspector(s):

Cindy Dabner, Environmental Scientist EPA
Compliance Section 2
RCRA Branch
Land and Chemical Division
U.S. Environmental Protection Agency
Region 5,
77 West Jackson Blvd
Mailcode: LR-8J
Chicago, Illinois 60604

Site Representative(s):

Brian Roper, Director, EH&S
EMCO Chemical Distribution Inc.
8601 95th Street
Pleasant Prairie, Wisconsin 53158
262-427-0400
broper@emcochem.com

Introduction

On June 25, 2015, I arrived at the site at approximately 9:50 AM. I introduced myself, presented my inspector credentials, provided my contact information, and described the purpose and process by which I intended to conduct the inspection. Mr. Roper provided me a description of the site operations, led the tour, and provided me with the records I requested for review.

I provided a Small Business Resources Information Sheet and the U.S. EPA Pollution Prevention Contact List to Mr. Roper.

I informed Mr. Roper that EMCO Chemical Distribution could claim any information gathered during the inspection as Confidential Business Information including: verbal information, documents and photographs. EMCO Chemical Distribution did not make a CBI claim on the information gathered during the inspection or made CBI claims on photos taken, documents copied and/or verbal information provided.

Site Description

EMCO is a chemical manufacturer, packager, and distributor that started in 1971. The company recently relocated its corporate office along with its manufacturing and distribution divisions to a new facility in Pleasant Prairie, Wisconsin in 2013. The new facility is located on 260,000 square feet of property and employs approximately 145 people using two shifts Monday through Friday.

Over 4,000 products are sold and distributed by EMCO including alcohols, acids, dry chemicals, and various raw materials to include paint, graphic arts, and personal care items. EMCO manufactures and distributes chemicals in Wisconsin, Illinois, Minnesota, Ohio, Indiana, Tennessee and Canada.

EMCO generates hazardous waste from unloading material, line flushing from product lines, and off-specification products. According to the facility representative, very little paint operations occurs at the facility. The site accumulates its waste in 55-gallon drums and cubic yard containers.

Based on information provided to the inspector, EMCO has an air permit with U.S. EPA and the Kenosha Water Treatment (Non-Contact Cooling) Plant.

Site Tour

I observed facility operations including: satellite accumulation areas, the less-than 90-day accumulation, solid waste areas, and emergency equipment areas. I took photographs of the various facility operations, waste operations, and waste storage/accumulation areas during the site tour. See Attachment A for photographs taken during the inspection.

The facility tour began at the Loading and Unloading #1 Satellite Accumulation Area. At this location four 55-gallon drums were observed in good condition, grounded, closed, labeled as hazardous waste, and not in excess of 55-gallons of hazardous waste. The four 55-gallon drums were marked as Controlled Line Wash, LUL 1 and Flammable. I also observed approximately seven empty 30-gallon containers, but the containers were labeled as hazardous waste and non-hazardous waste.

The tour continued to Loading and Unloading #2 Satellite Accumulation Area. I observed the following:

- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Controlled Line Wash LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Flammable Waste LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Chlorinated Waste LUL 2
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Non-Hazardous Waste
- Fourteen empty 30-gallon containers, but the containers were labeled as hazardous waste and non-hazardous waste.

The facility tour proceeded to the Tote Wash Satellite Accumulation Area. I observed the following:

- two 55-gallon drums in good condition, closed, not in excess, and labeled as Hazardous Waste, Caustic Flammable Waste, Tote Wash;
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Flammable Waste;
- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Acid Waste Flammable;
- One 55-gallon drum in good condition, closed, and labeled Non-Hazardous Off-Specification; and
- One 55-gallon drums in good condition, closed, not in excess and labeled as Hazardous Waste, Amines Waste.

Next the tour moved to the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area. At this location, I observed the following:

- Approximately thirty 55-gallon drums were observed in good condition, closed, marked as Hazardous Waste, labeled with DOT pre-transport information (Waste Flammable Liquids), but in-excess, and without accumulations start dates
 - The Facility representative stated that hazardous waste drums in excess of 55-gallons are immediately moved to the Satellite Accumulation Area/90 Day accumulation area. He added that the thirty 55-gallon drums observed in-excess amounts were moved to the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area earlier in the morning. He ended with a statement that the drums were within the three day period of being moved to the 90 Day Accumulation Area to be marked with accumulations start dates. The facility representative affixed accumulation start dates to the thirty 55-gallon drums at the time of the inspection;
- Approximately twelve 55-gallon drums labeled as CLW Rejected Drum#, Controlled Line Wash, Date Started, Drum#, and Controlled Line Wash LUL
 - The facility representative stated that the material is recycled and not considered a waste;
- Six cubic yard containers were observed closed, marked as hazardous waste, labeled with DOT information Flammable Liquids and Sample Retains, in good condition, but were observed without accumulation start dates
 - At the time of inspection, accumulation start dates were added to the cubic yard containers; and
- Appropriate aisle space was not maintained in the Satellite Accumulation Area/Less than 90 Day Hazardous Waste Area.

Finally, the tour concluded in the Warm Room Satellite Accumulation Area. At this location, I observed the following:

- One empty 55-gallon drum;

- One 55-gallon drum in good condition, closed, not in excess, and labeled as Hazardous Waste, Acid Waste Flammable;
- One 55-gallon drum in good condition, closed, and labeled Non-Hazardous Off-Specification; and
- Approximately twelve 30-gallon empty containers.

Records Review

I requested the following records for review at the time of the inspection and after the inspection: waste profiles/characterizations, waste analysis records, manifests, land disposal restriction notifications (LDR), weekly container inspection logs, training records, annual reporting forms, and an emergency contingency plan. The following is the result of the review:

Waste Profiles/Characterization and Waste Analysis Records

Some waste profiles and characterizations were observed maintained at the facility. However, I requested the facility send copies of the waste analysis and profiles for all solid waste generated at the facility electronically or by mail for closer review.

On August 5, 2015, the facility representative emailed hazardous waste profiles based on generator knowledge for the following wastes:

Hazardous Waste Name	Process Generating Hazardous Waste	EPA Hazardous Waste Codes
Flammable Solid	Off-Spec Product	D001, D002
Line Wash	Chemical Manufacturing/Line Flush	D001, F003, F005
Acid Trash	Off-Spec Material	D002
Caustic Wash	Off-Spec Material	D002
Ethanolamine	Off-Spec	D002
Flammable Basic Sample Retains	QA/QC Sample retains and customer holds for virgin chemical productions	D001, D002, F003, F005
Flammable Sample Retains	QA/QC Sample retains and customer holds for virgin chemical productions	F003, F005
Flammable Caustic	Unused Material	D001, F003, D002

Hazardous waste profiles and analysis were not provided for waste that was determined to be non-hazardous. Additionally, hazardous waste labels observed on cubic yard containers storing Flammable Sample Retains showed an EPA Waste Codes (D035) that was not provided in the hazardous waste profiles for Flammable Liquids and Sample Retains.

Manifest

Three years of hazardous waste manifests were retained and made available for review. I did not observe any issues with the manifests that were reviewed for calendar years 2013, 2014, and 2015.

Land Disposal Restriction

Some land disposal restriction documents were maintained at the facility. However, I requested the facility send copies of land disposal restriction documents for 2013, 2014, and 2015 electronically or by mail for closer review.

Although the facility representative emailed a pdf file named Manifests Profiles, and LDRs on August 5, 2015, the file did not include land disposal restriction documents for 2013, 2014, and 2015.

Annual Report

I reviewed annual WDNR Hazardous Waste Report Certifications for EMCO at the time of the inspection. I did not observed any concerns during the review of the WDNR Hazardous Waste Report Certifications for 2013 and 2014.

Preparedness and Prevention

Emergency equipment was observe throughout the facility. At the time of the inspection, all emergency equipment was observed tested and maintained to ensure proper operation. However, no record was available to demonstrate the forwarding of EMCO's Contingency Plan to private, local, and state emergency providers. Nor was any documentation provided to demonstrate the local hospital's awareness of the properties of waste handled at the facility and the types of injuries or illnesses that could result from an emergency.

Contingency Plan and Emergency Procedures

A copy of EMCO's Contingency Plan was provided for review on August 5, 2015. However, no documentation was provided to indicate if copies of the plan, with all its revisions, were made available to local police, fire, hospital, and emergency response teams.

Personnel Training Requirements

Based on the information provided on August 5, 2015, it appears that EMCO has an hazardous waste training program that provides information relevant to the positions in which personnel are employed. However, based on training information provided, hazardous waste training does not appear to be conducted annually for each of the following employees.

Employee Name	Department/Title	2013 Training	2014 Training	2015 Training
Brian Roper	Primary Emergency Coordinator/Manifest	Not Available	Not Available	Not Available
Randy Kimball	Alternate Emergency Coordinator	Not Available	Not Available	Not Available
Amanda Phillips	EHS/ Manifest/SAA/<90 Day	Not Available	Available	Available
Nick Ruseziak	EHS/ Manifest/SAA/<90 Day	Not Available	Available	Not Available
Larry Mitsch	Mfg/ SAA/<90 Day	Not Available	Not Available	Available
Terry Aubry Garrett	Quality	Not Available	Available	Not Available
Tony Simon	Hazwoper Spills Incident Commander	Not Available	Not Available	Not Available
Jaime Banak	Hazwoper Spills Incident Commander	Not Available	Not Available	Not Available

Container Weekly Inspection

EMCO weekly inspection logs were not made available for review prior to submission of the inspection report.

Universal Waste and Used Oil

At the time of the inspection, no universal waste or used oil was observed managed at the facility.

I completed a Large Quantity Generator Inspection Checklist. See Attachment B for a completed inspection checklist.

EMCO provided copies of the following documents during the record review on June 25, 2015:

- Hazardous Waste Report/ Hazardous Waste Report Certification for 2013 and 2014. See Attachment C for documents copied.

Post-Inspection

EMCO provided copies of the following documents during the record review on August 5, 2015:

- Manifests, Profiles, and LDR;
- EMCO Pleasant Prairie Contingency Plan;
- Training Records;
- Hazardous Waste Training Binder: and
- EMCO Pleasant Prairie Contingency Plan.

See Attachment D for Post-Inspection Documents.

Closing Conference

I summarized the issues identified during the inspection. I again mentioned that EMCO could make claims of CBI on the material copied, photographs, and information gathered during the inspection. Mr. Roper did not make any CBI claims. The inspection concluded at approximately 3:30 PM.

Attachments

- A. Photographs and Log
- B. Checklist(s)
- C. Document(s) Copied
- D. Post-Inspection Documents

ATTACHMENT A
Photographs and Photograph Log

Attachment A
Photographs for EMCO Chemical Distribution Inc. CEI
WID 988 621 447
8601 95th Street
June 25, 2015



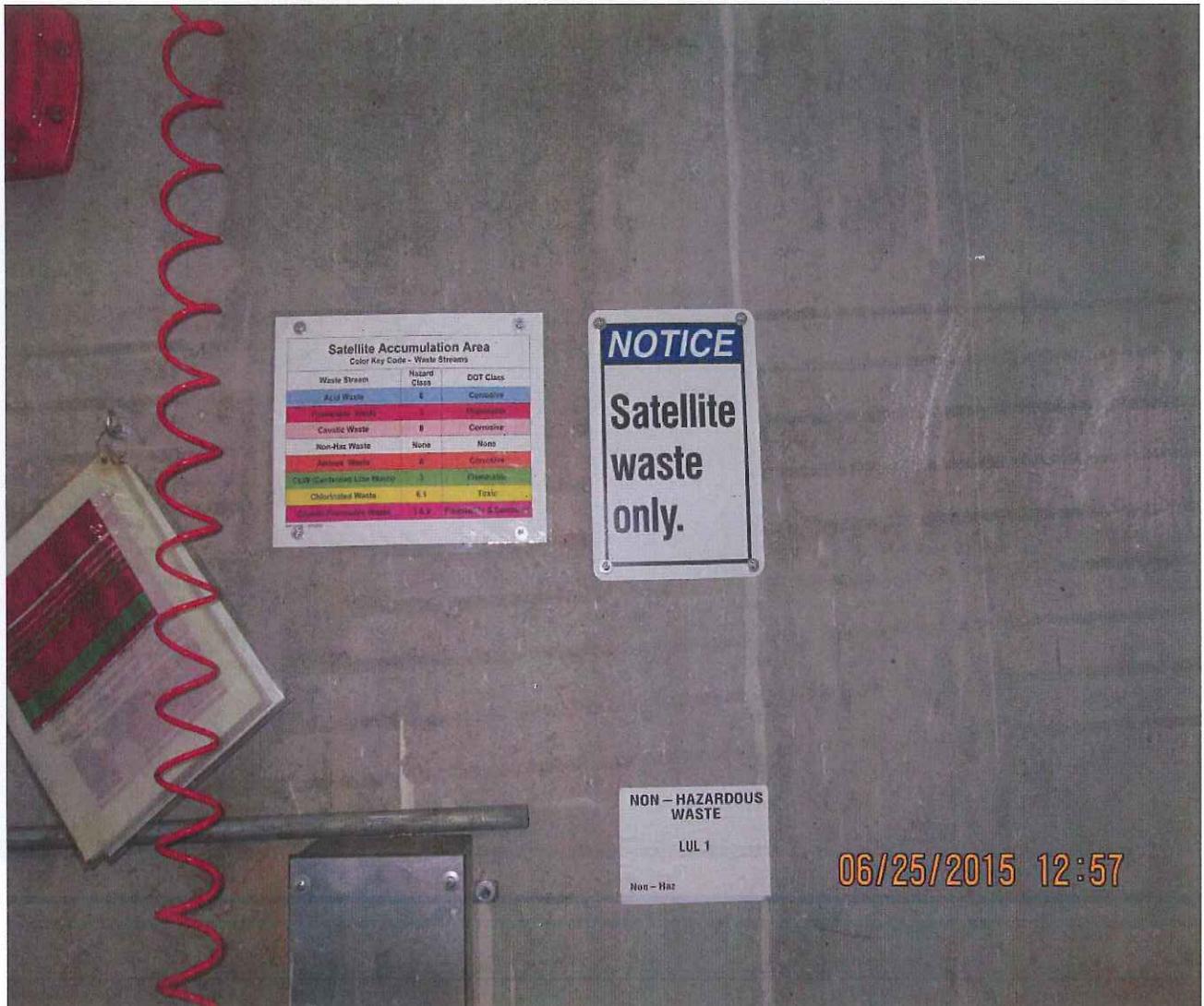
Photograph: #1
Name of Photographer: Cindy Dabner
Date/Time of Photograph: June 25, 2015
Site Location: 8601 95th Street, Pleasant Prairie, WI
Description: Photograph of the facility sign

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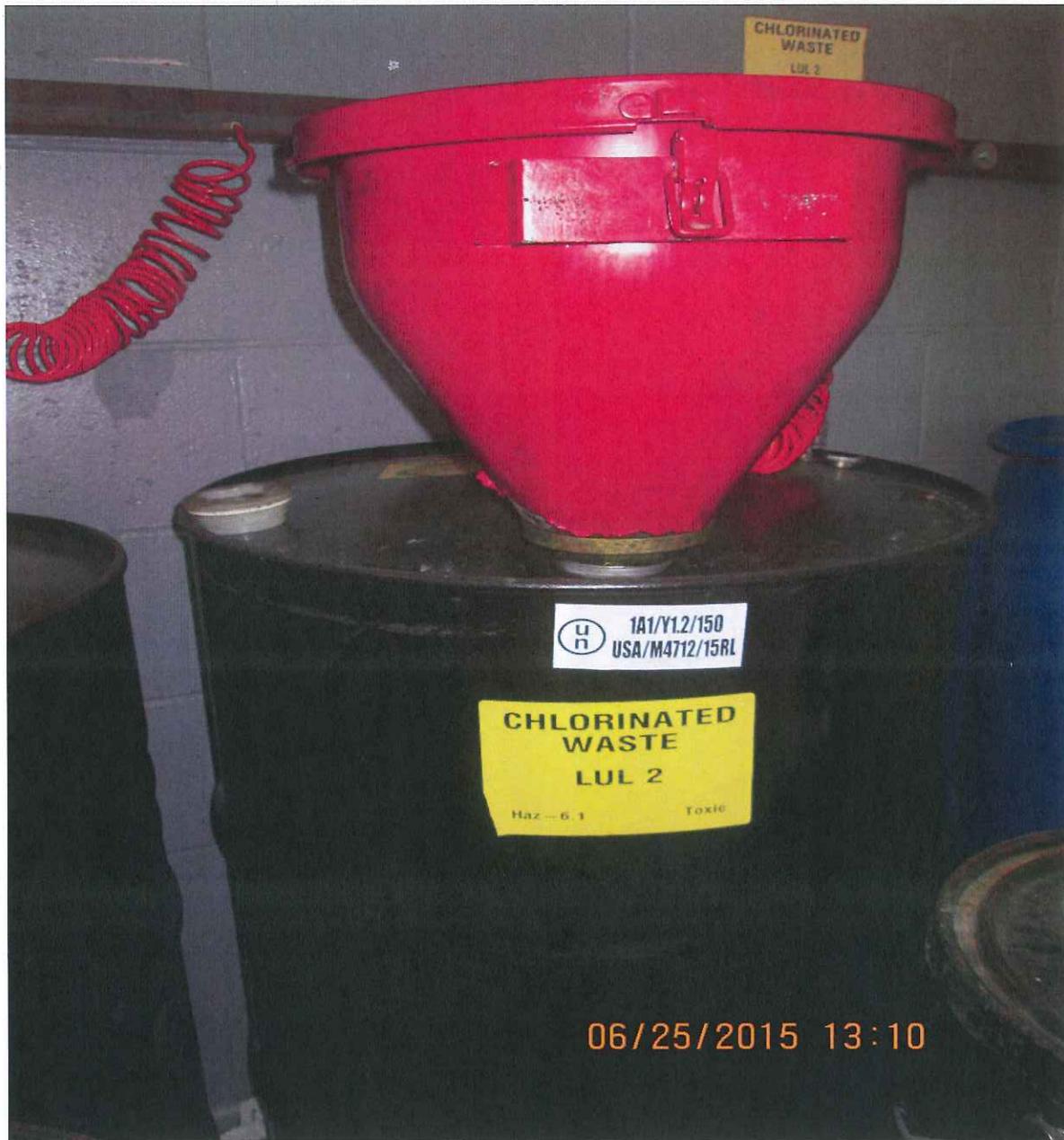
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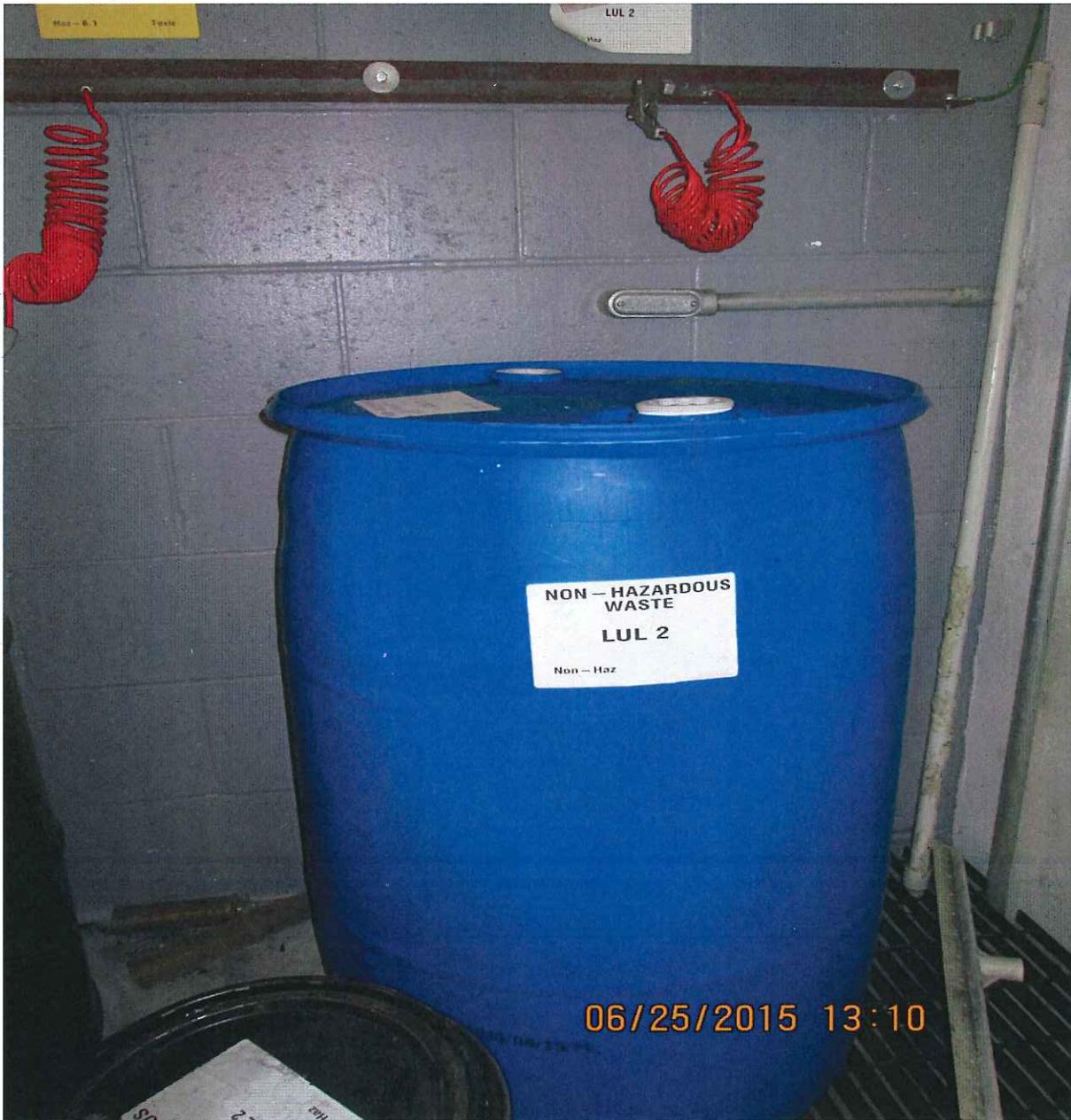
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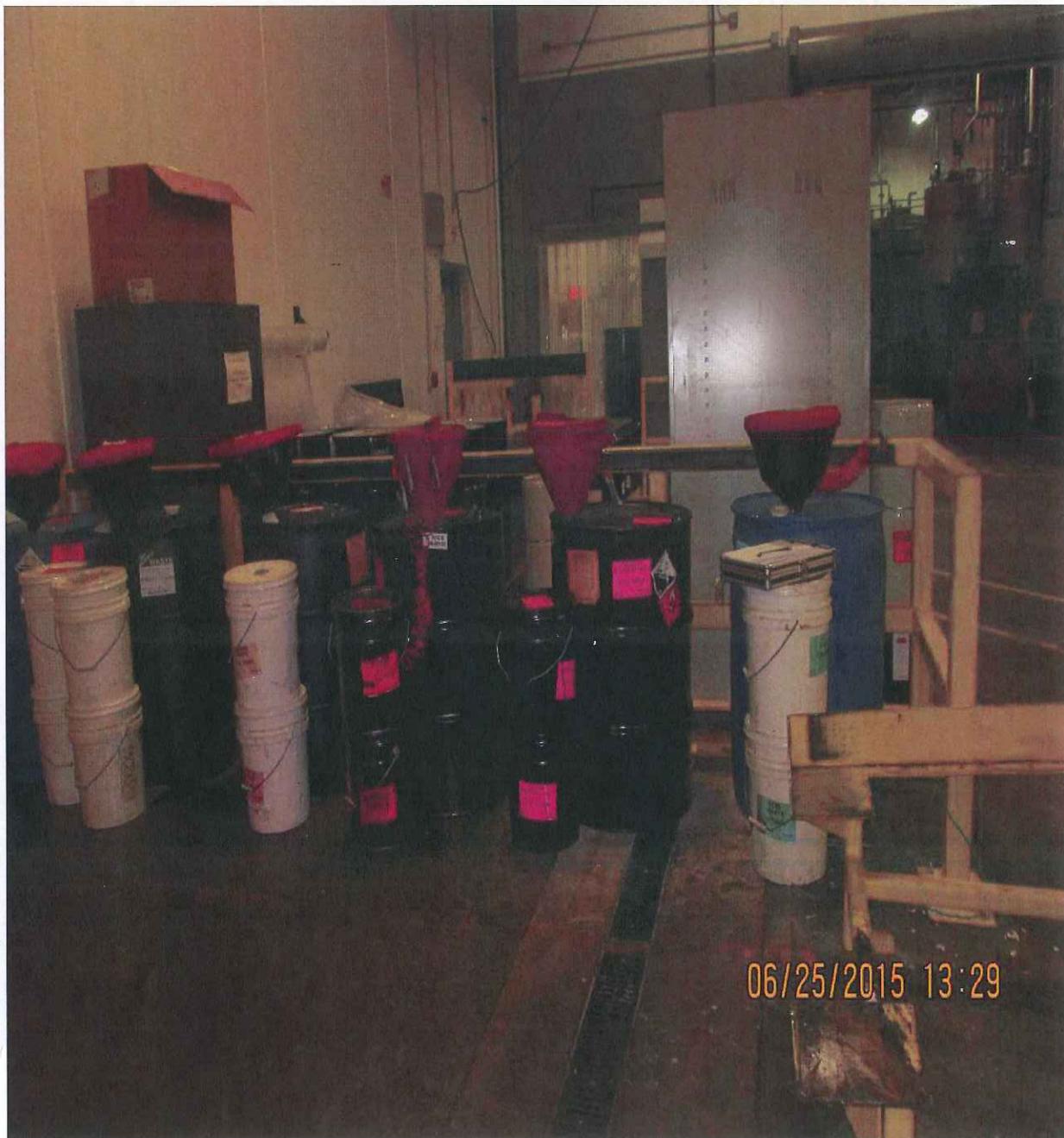
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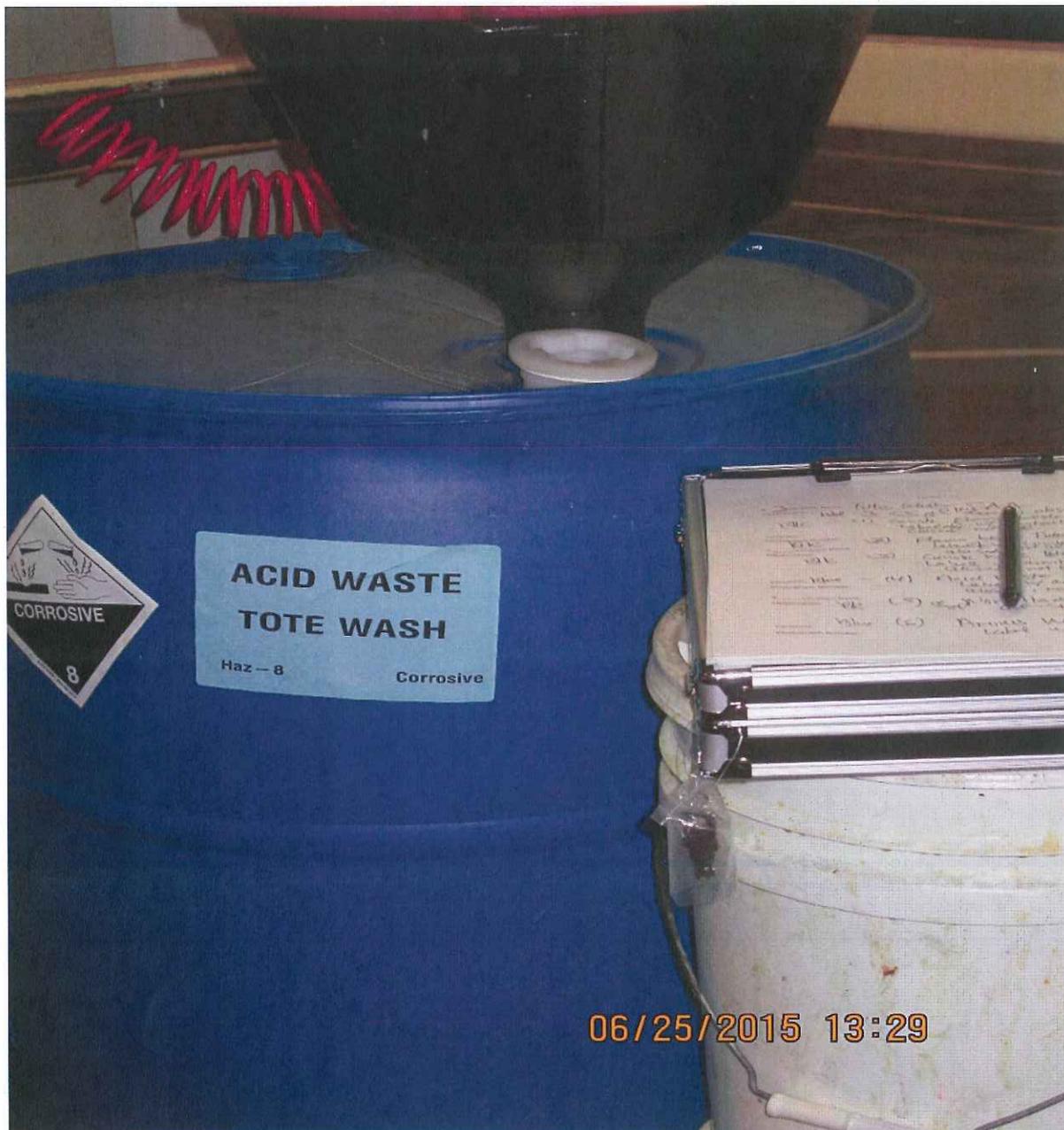
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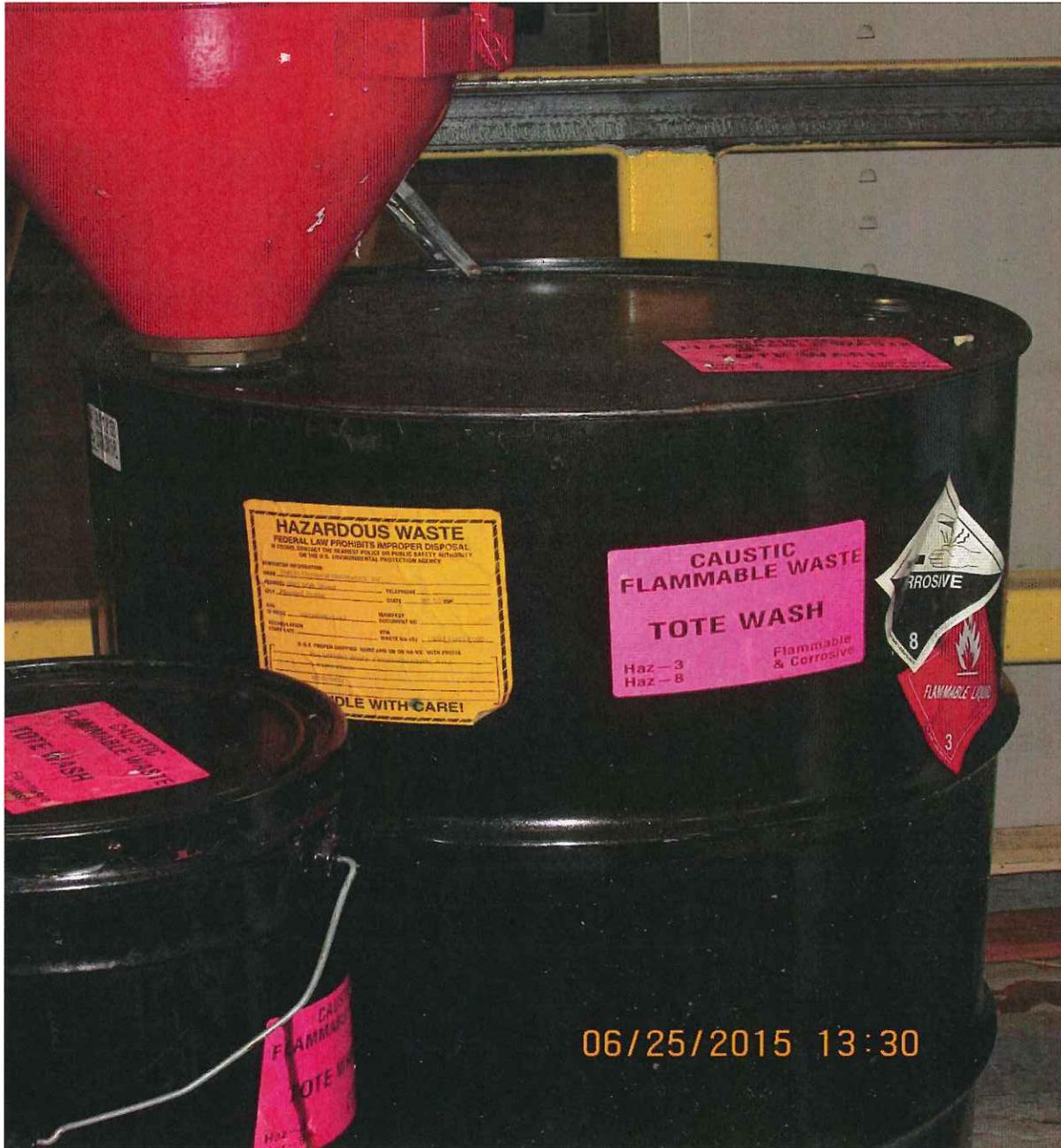
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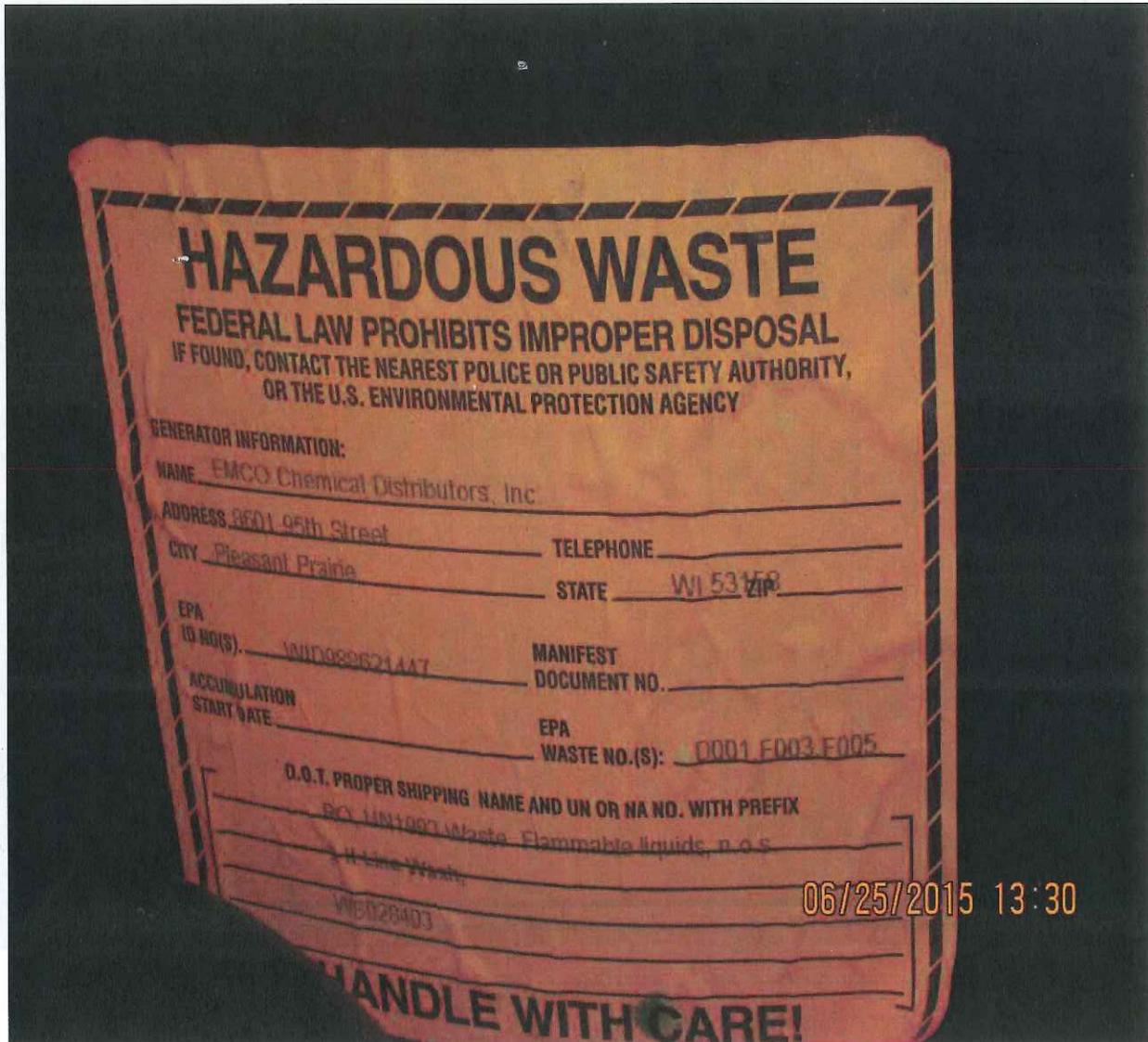
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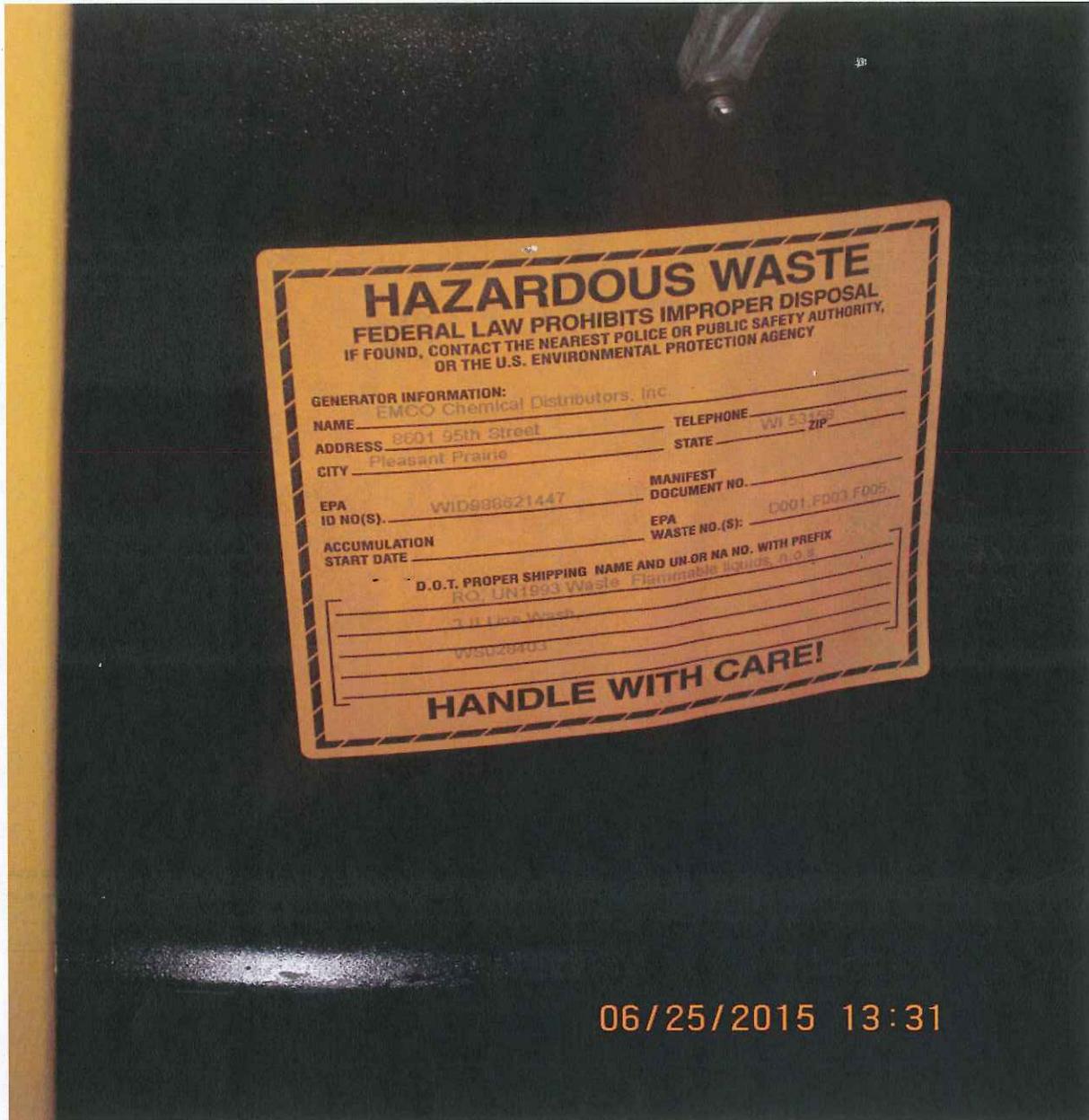
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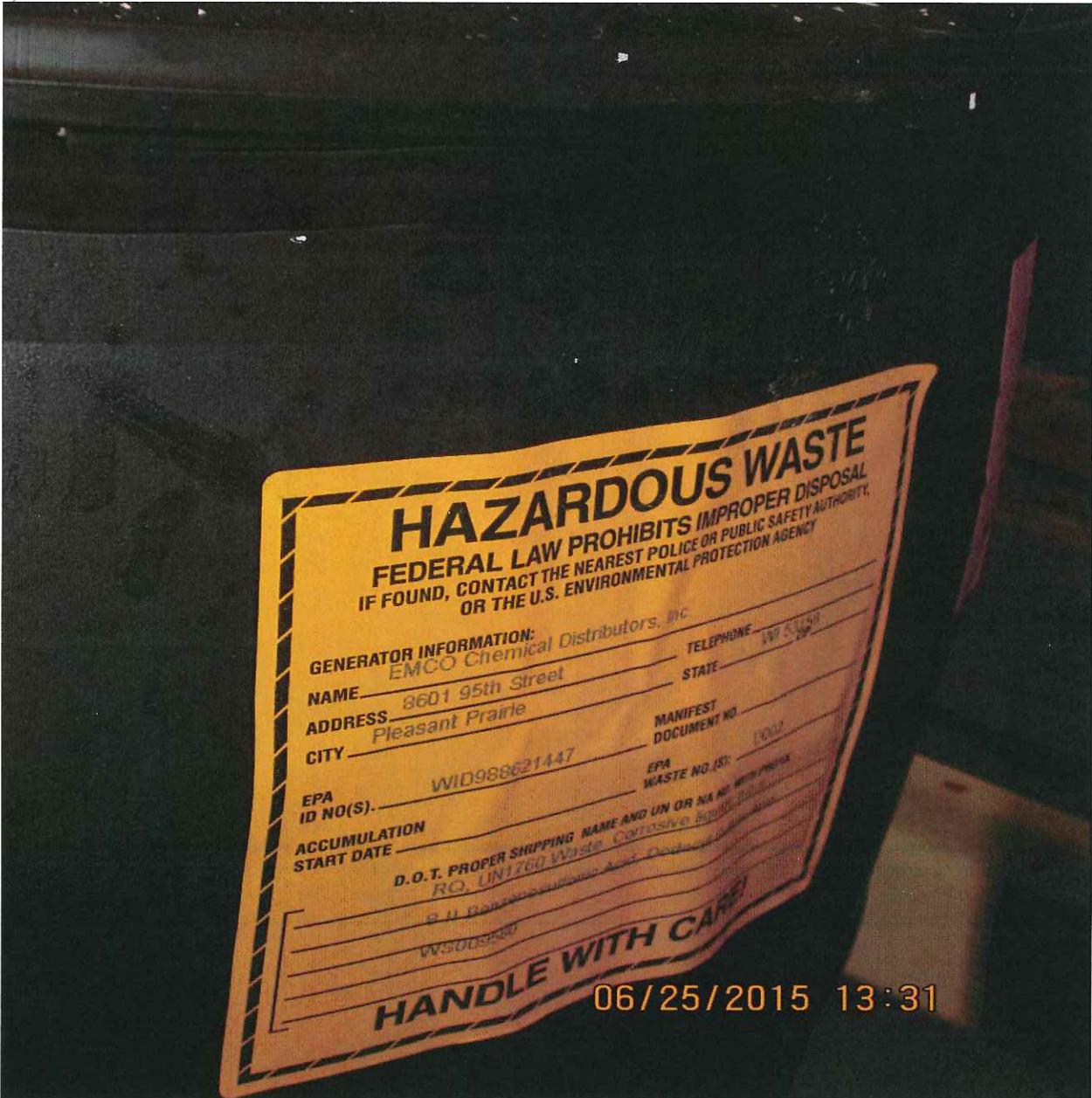
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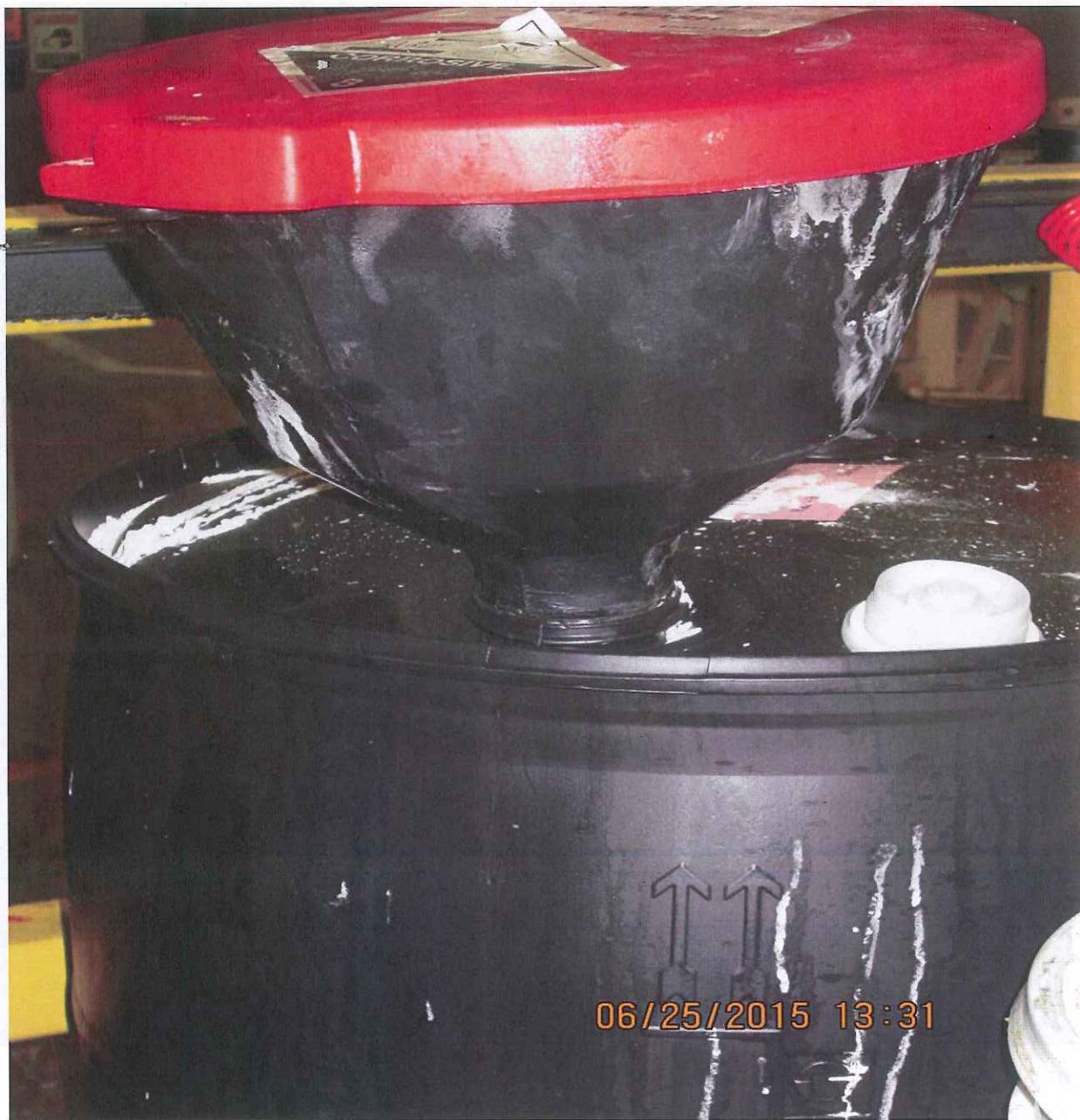
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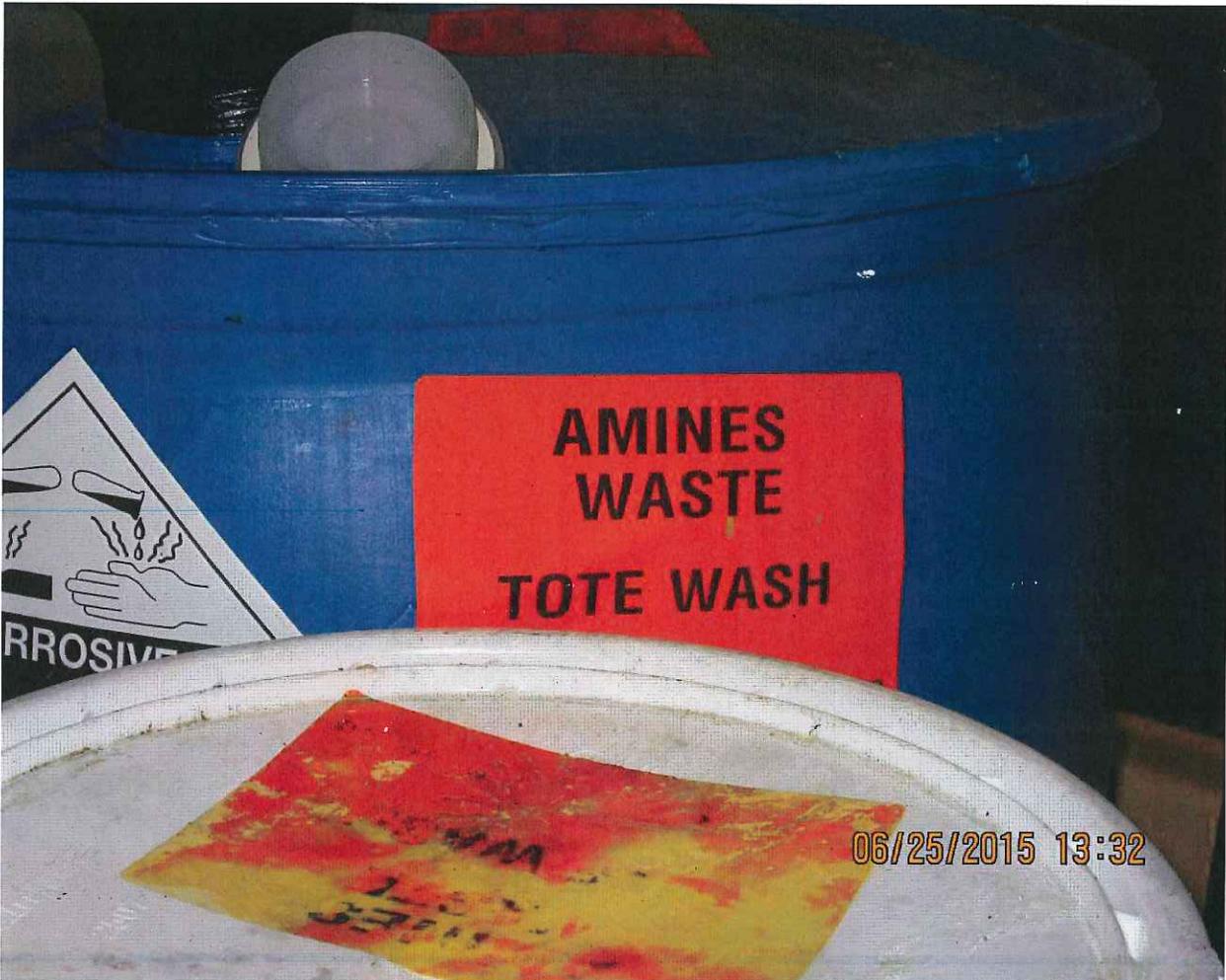
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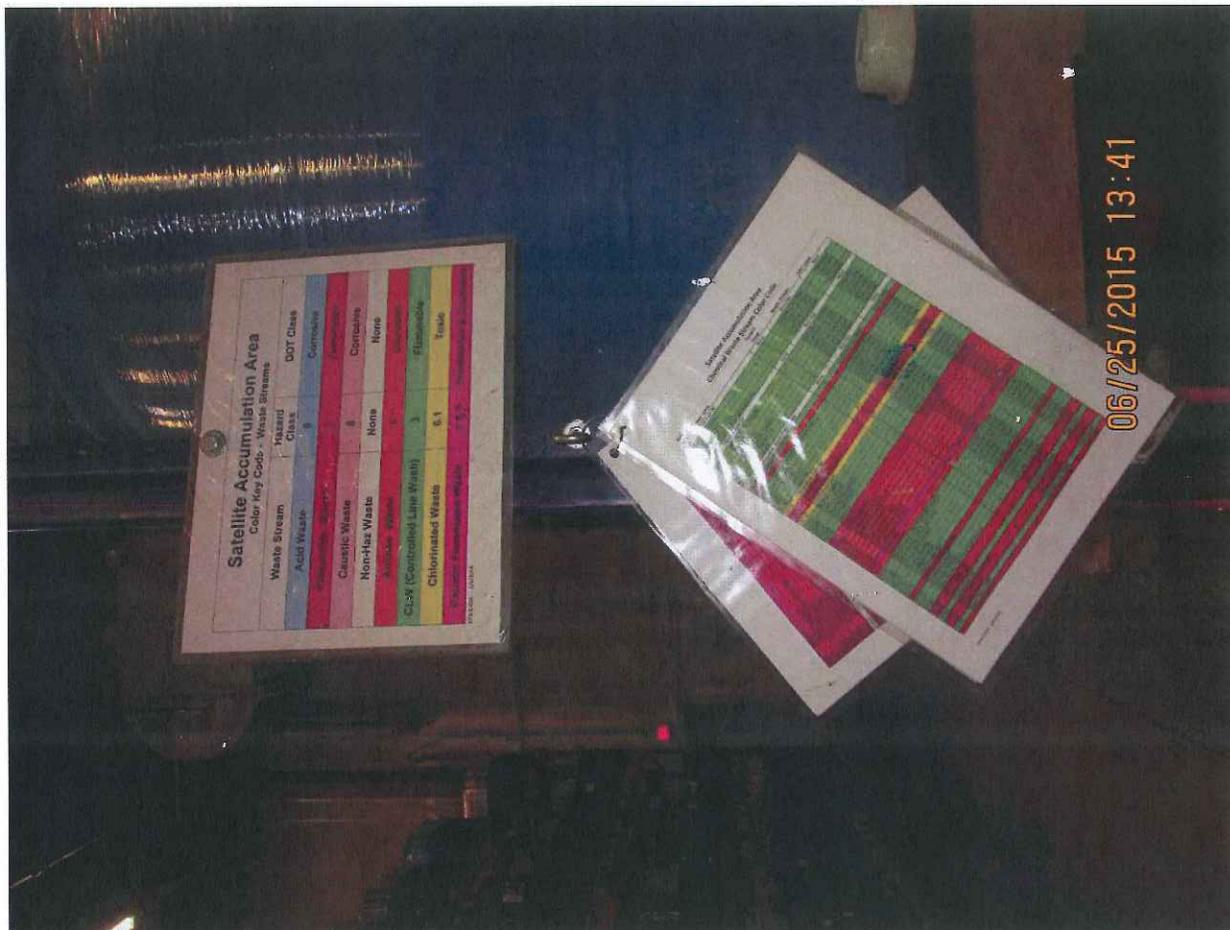
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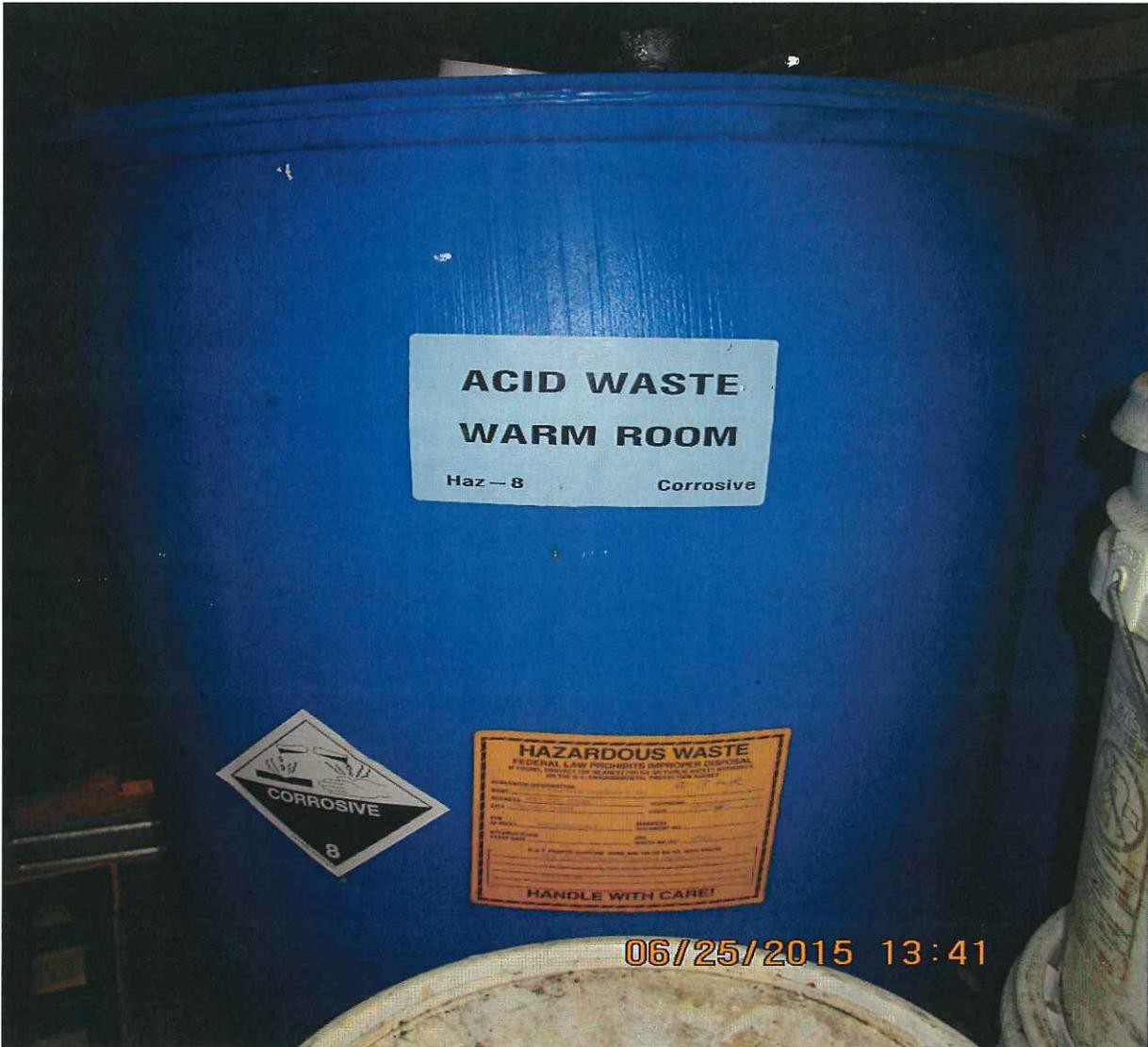
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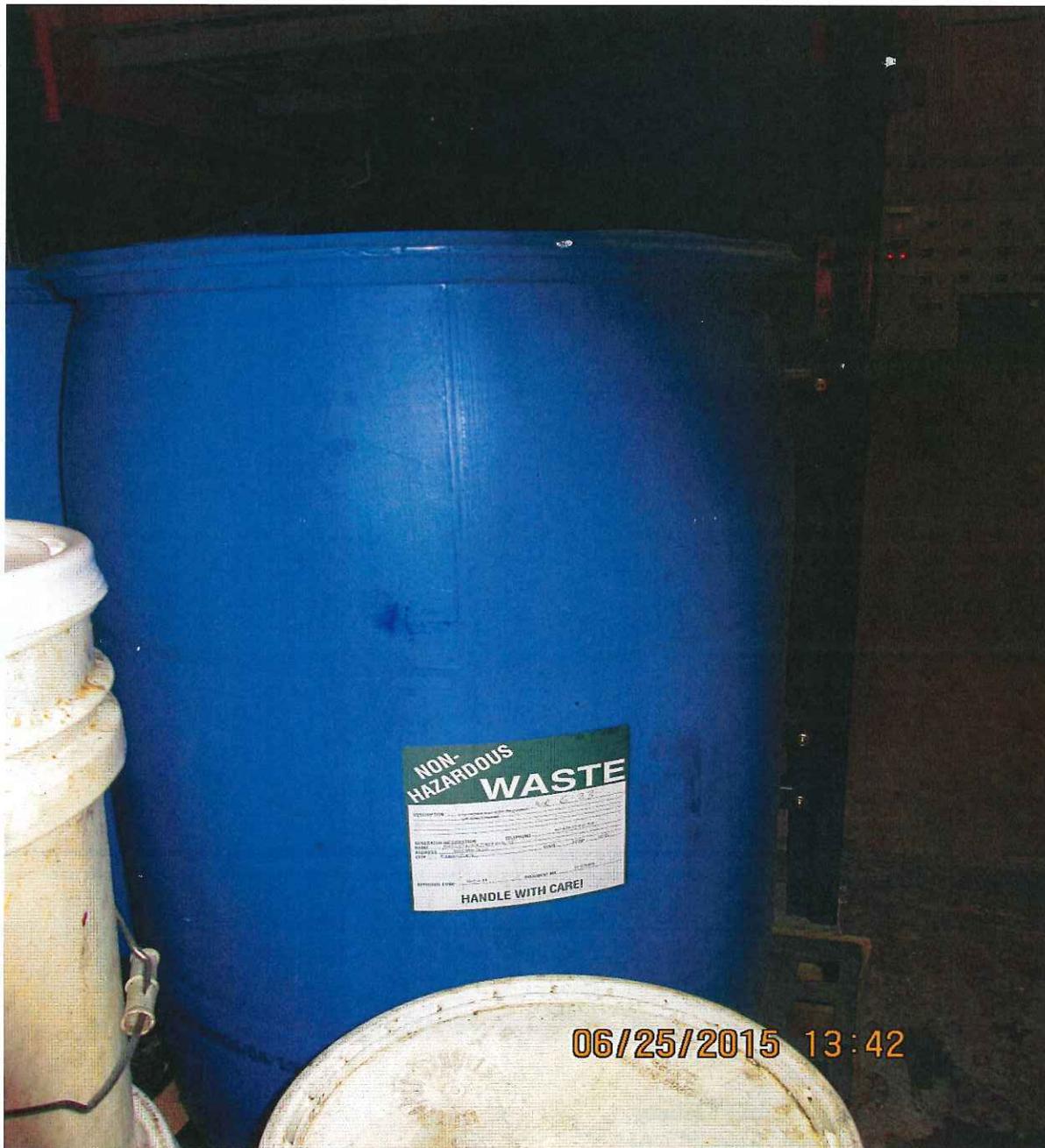
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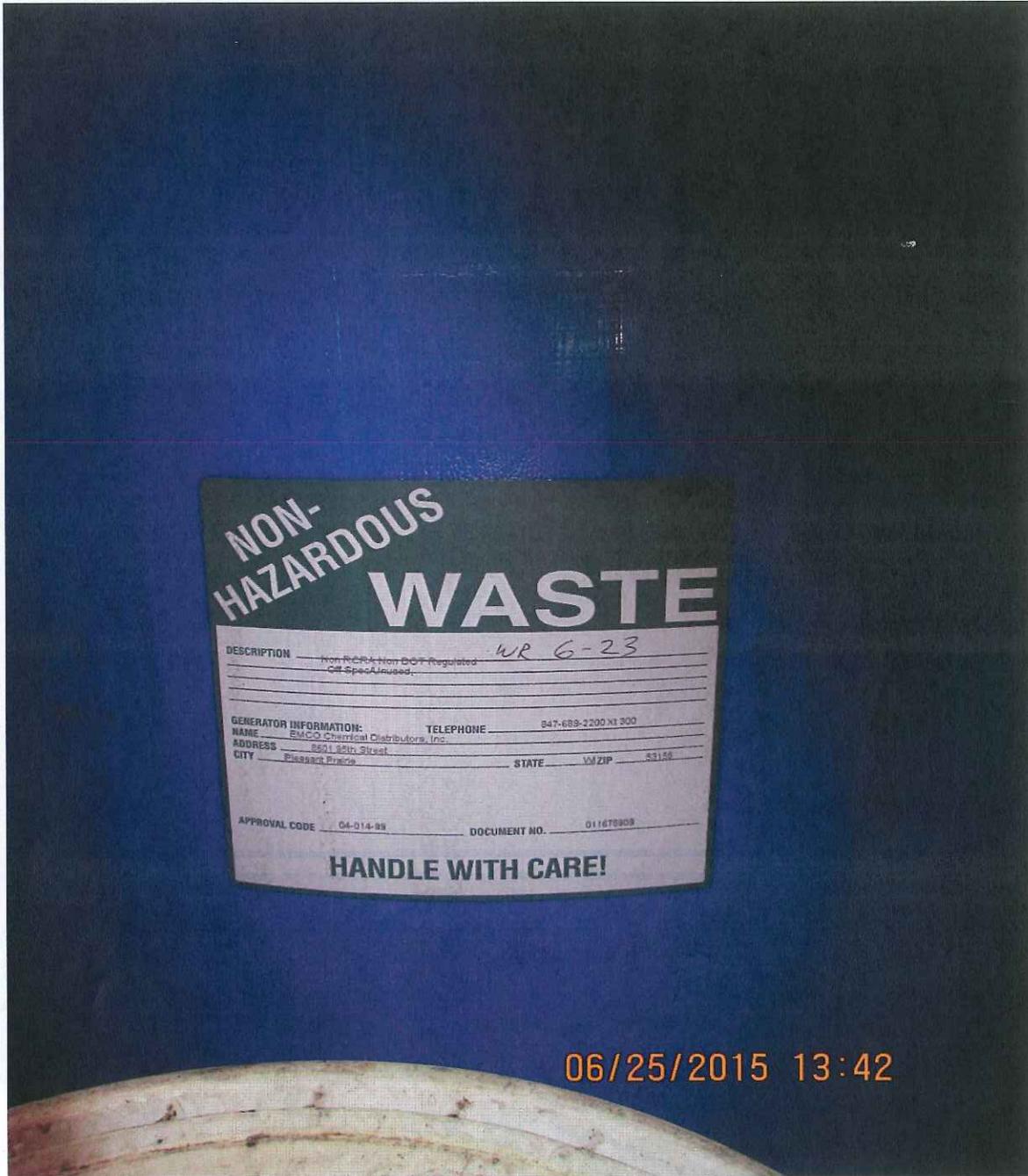
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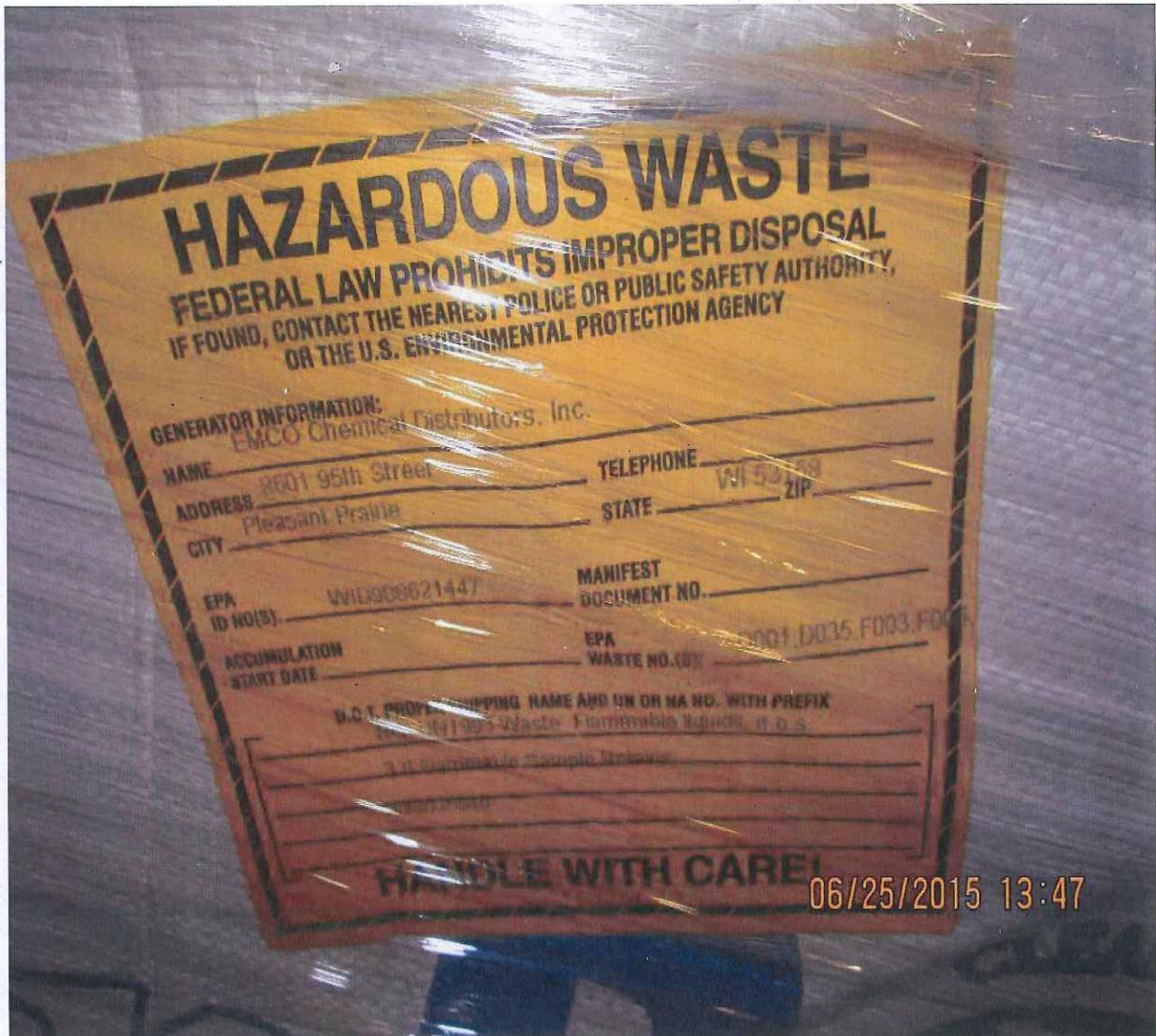
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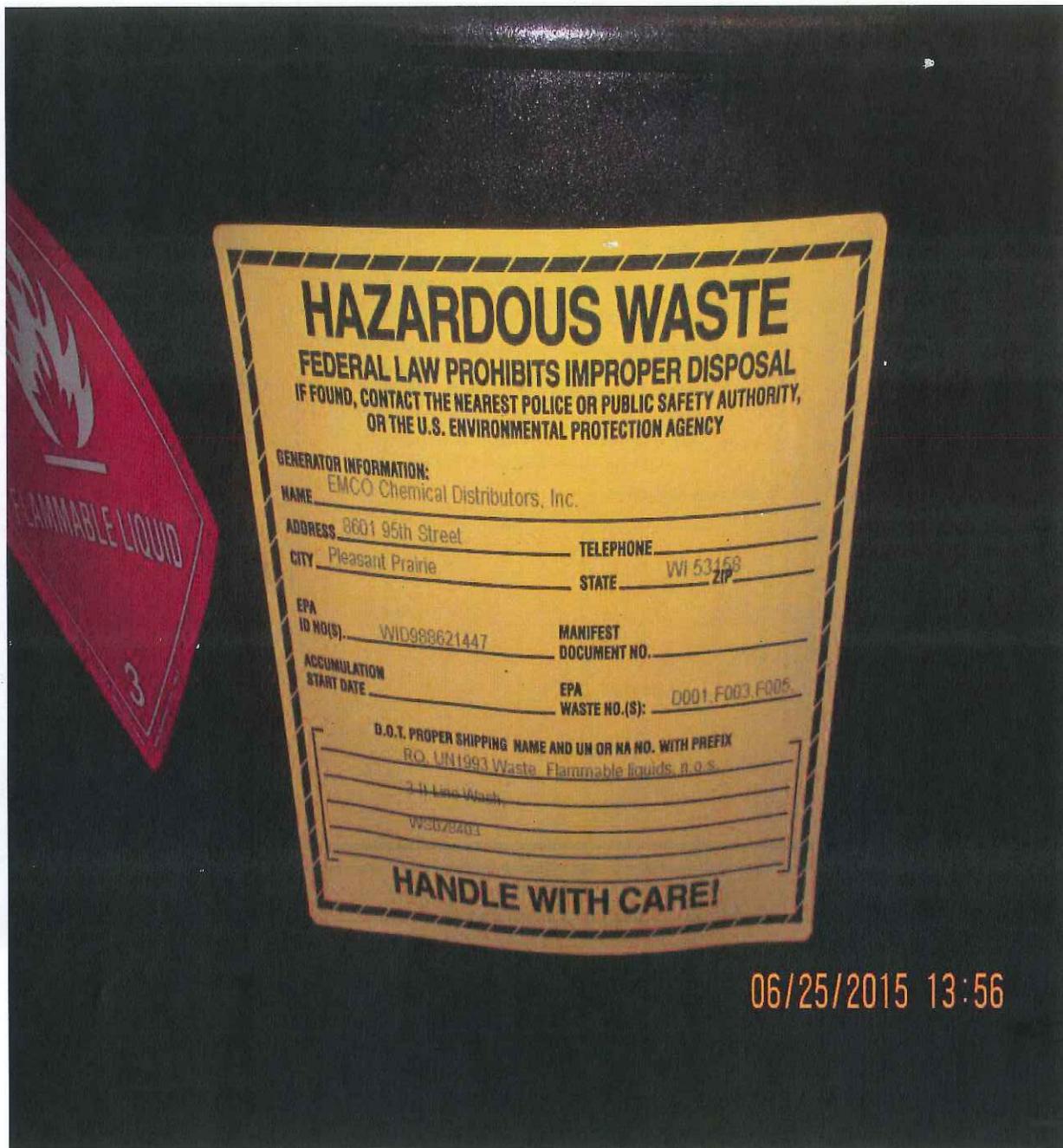
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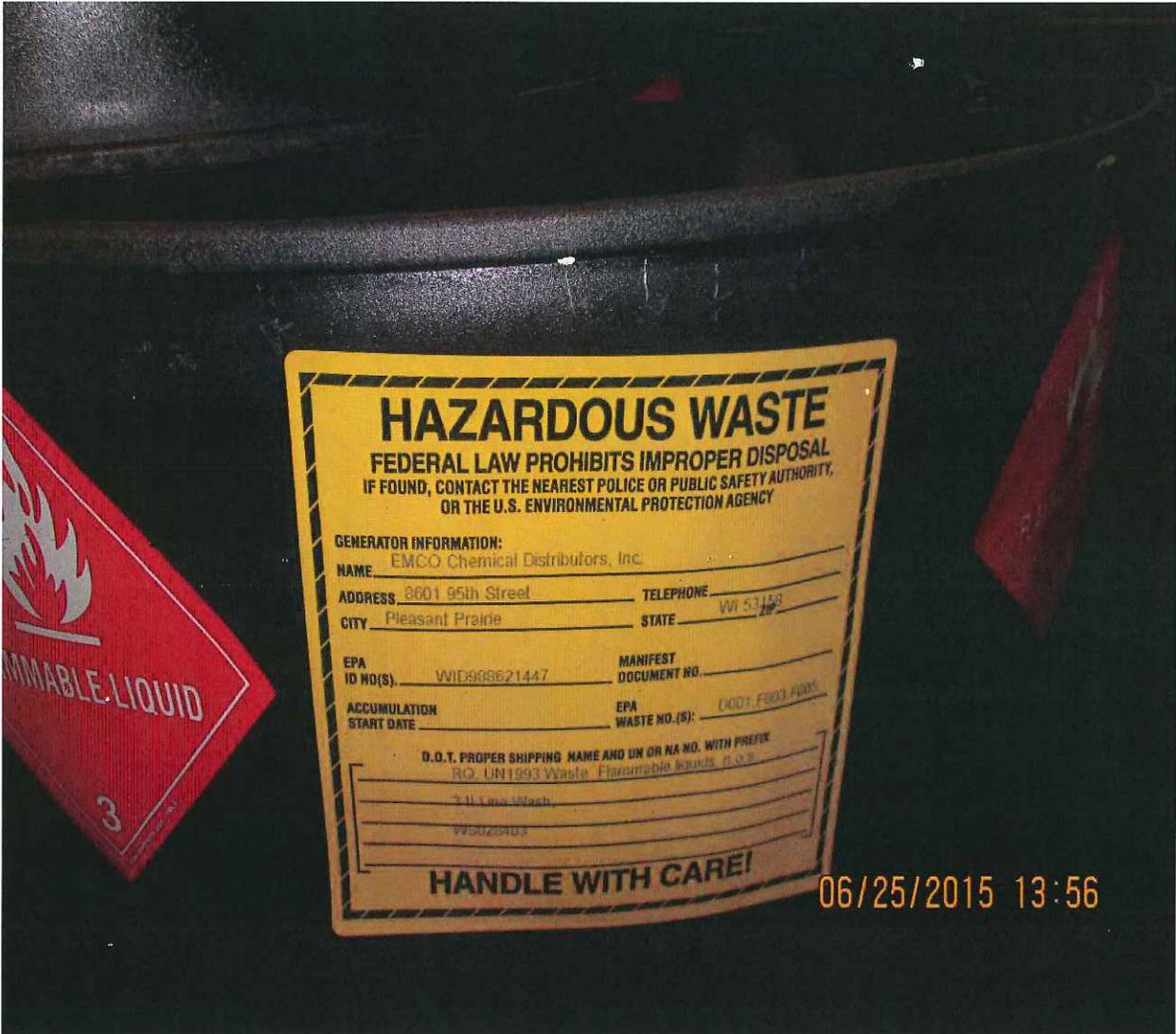
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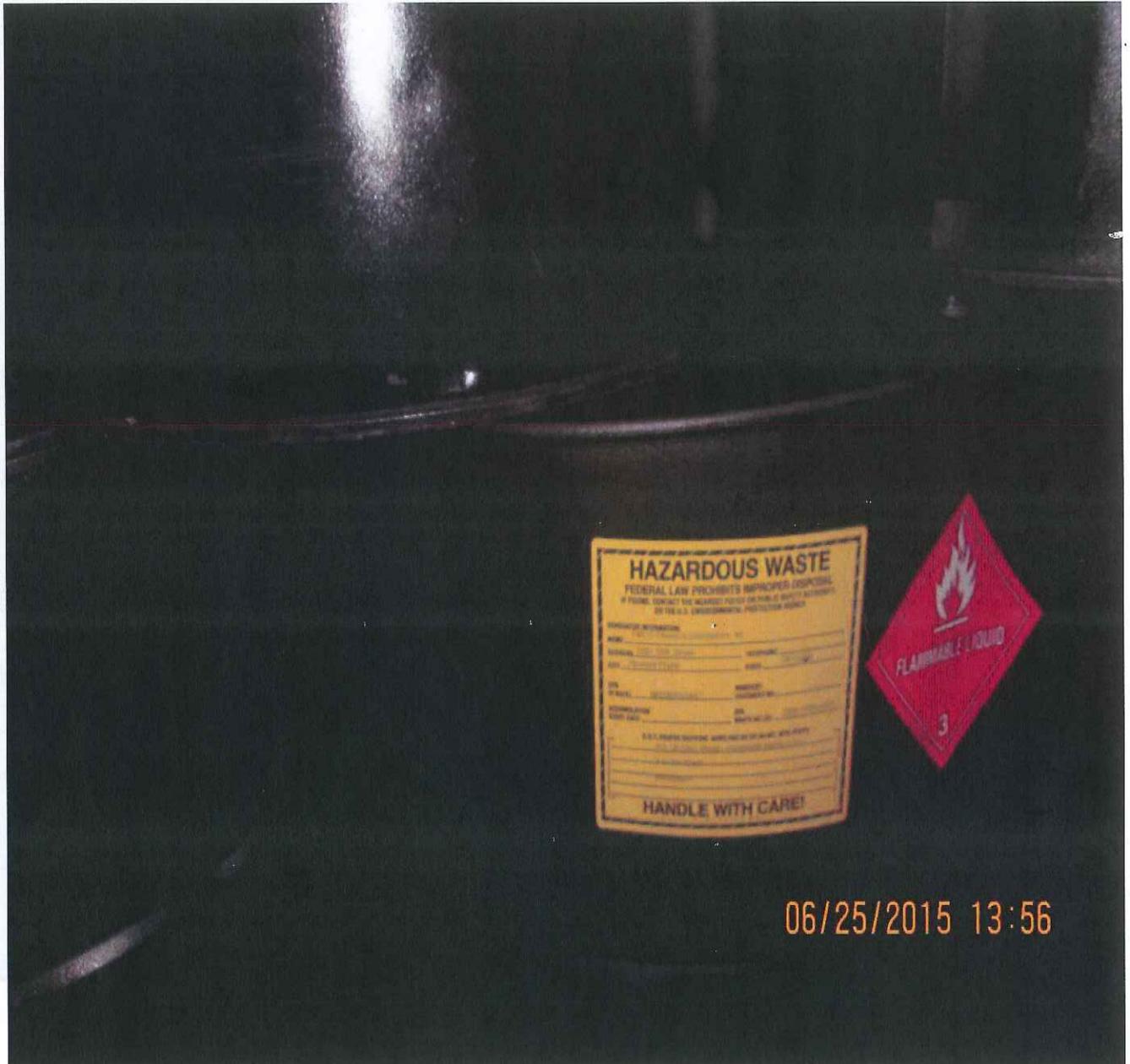
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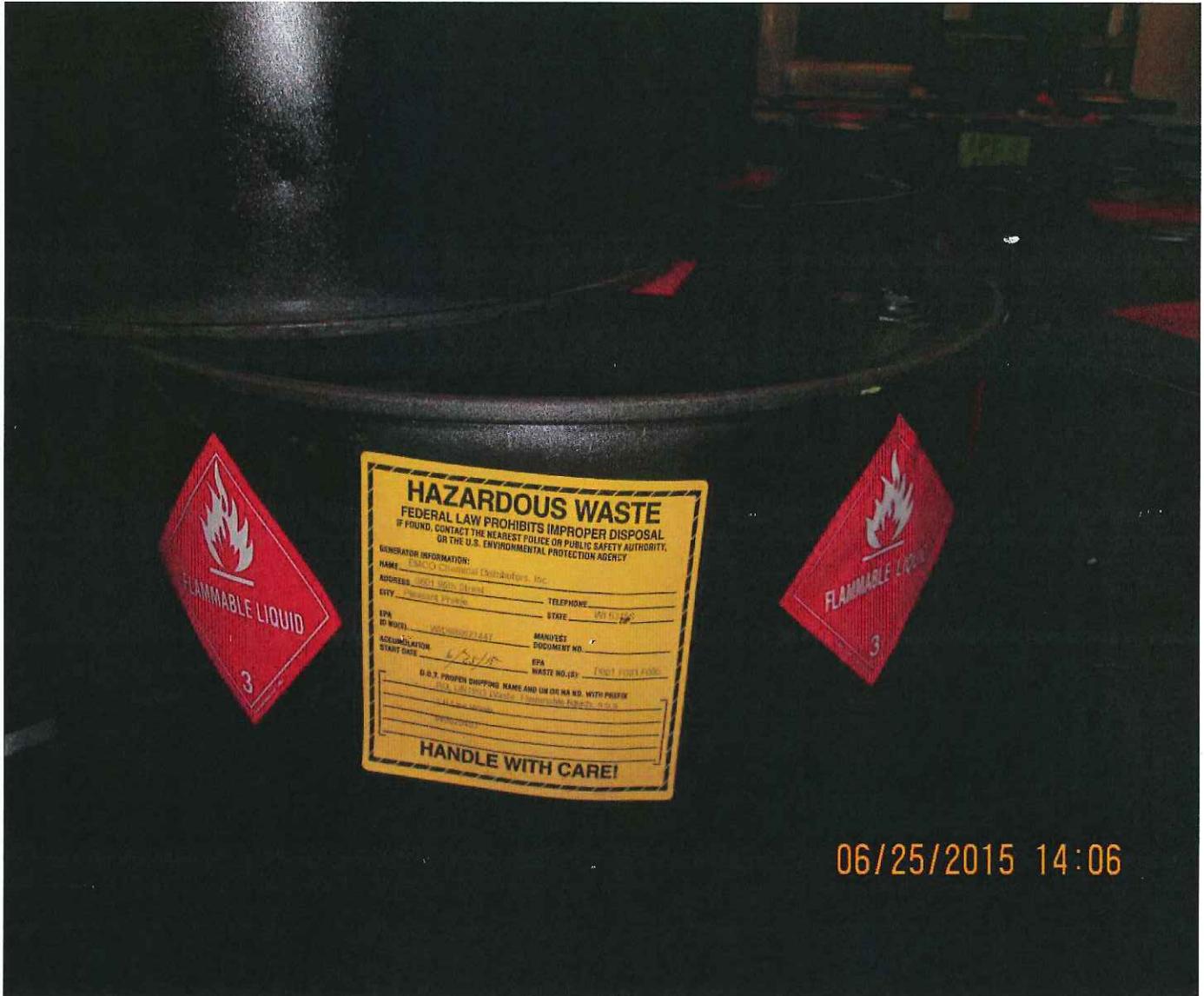
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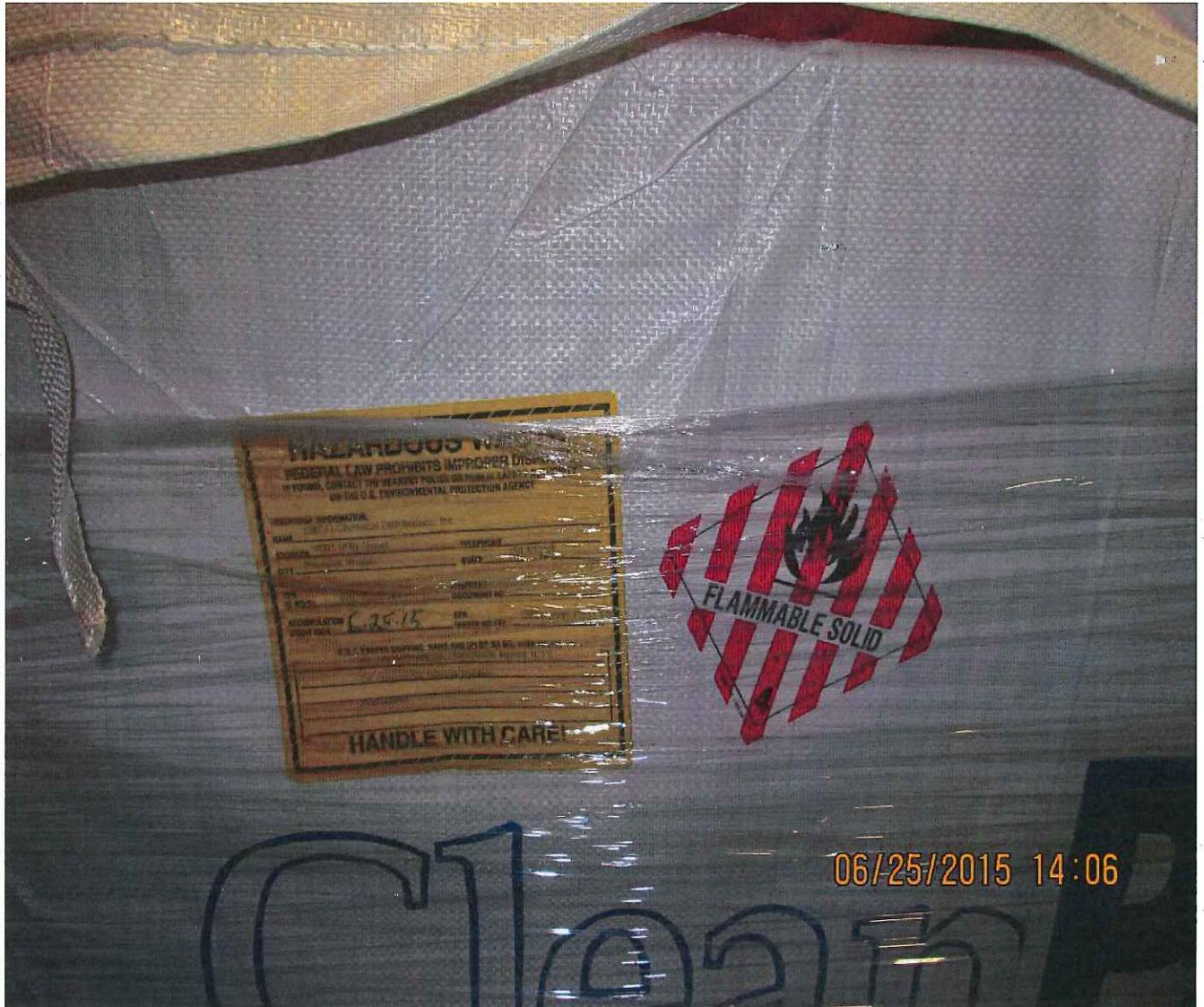
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06/25/2015 14:06

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RCRA Inspection Photo-Log**Photographer:** Cindy Dabner**Location:** 8601 9th Street, Pleasant Prairie, Wisconsin**Date(s):** June 25, 2015

Photo #	Description	Time
1	Photograph of the Facility Sign	14:56
2	Loading and Unloading #1 Satellite Accumulation Area	14:57
3	Satellite Accumulation Area Sign Located in the Loading and Unloading #1 Area	14:57
4	Loading and Unloading #2 Satellite Accumulation Area	13:07
5	55-Gallon Drum Storing Controlled Line Wash LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:07
6	55-Gallon Drum Storing Flammable Waste LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:09
7	55-Gallon Drum Storing Chlorinated Waste LUL2 Located in the Loading and Un-Loading #1 Satellite Accumulation Area	13:10
8	55-Gallon Drum Storing Chlorinated Waste LUL2 Located in the Loading and Un-Loading#1 Satellite Accumulation Area	13:10
9	Tote Wash Satellite Accumulation Area	13:29
10	Tote Wash Satellite Accumulation Area Sign	13:29
11	55-Gallon Drum Storing Acid Wash Located in the Tote Wash Satellite Accumulation Area	13:29
12	55-Gallon Drum Storing Caustic Flammable Waste Located in the Tote Wash Area	13:30
13	Hazardous Waste Label Attached to a 55-Gallon Storing Caustic Flammable Waste Located in the Tote Wash Satellite Accumulation	13:30
14	Hazardous Waste Label Attached to a 55-Gallon Drum Storing Caustic Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:30
15	55-Gallon Drum Storing Flammable Waste Located in the Tote Wash Satellite Accumulation Area	13:30
16	A Closer Picture of the Label Identified in Photograph #15	13:30
17	Hazardous Waste label Attached to a 55-Gallon Container Labeled Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:30
18	Hazardous Waste Label Attached to a 55-Gallon Container Labeled Flammable Wash Located in the Tote Wash Satellite Accumulation Area	13:31

Photo #	Description	[Time
19	55-Gallon Drum Labeled Non-Hazardous Waste Located in the Tote Wash Satellite Accumulation Area	13:31
20	55-Gallon Drum Labeled Amines Waste Located in the Tote Wash Satellite Accumulation Area	13:32
21	Closer Picture of the Label Identified in Photograph#20	13:32
22	Emergency Equipment Located in the Tote Wash Satellite Accumulation Area	13:33
23	Warm Room Satellite Accumulation Area	13:41
24	Warm Room Satellite Accumulation Area Documents	13:41
25	55-Gallon Drum Labeled Acid Waste Located in the Warm Room Satellite Accumulation Area	13:41
26	55-Gallon Drum Storing Acid Waste Located in the Warm Room Satellite Accumulation Area	13:42
27	55-Gallon Drum Labeled as Non-Hazardous Waste Located in the Warm Room Satellite Accumulation Area	13:42
28	55-Gallon Drum Labeled as Non-Hazardous Waste Located in the Warm Room Satellite Accumulation Area	13:42
29	Less than 90 Day Hazardous Waste Storage Area/ Satellite Accumulation Area	13:46
30	55-gallon Drum of Control Line Waste that is Recycled	13:46
31	Cubic yard Container Labeled as Hazardous Waste Located in the 90 Day Hazardous Waste Storage Area without an Accumulation Start Date.	13:47
32	Cubic yard Container Labeled as Hazardous Waste Located in the 90 Day Hazardous Waste Storage Area without an Accumulation Start Date.	13:47
33	A Closer Picture of the Label Attached to the Cubic Yard Container	13:47
34	Six Cubic yard Containers Not Marked with Accumulation Start Date	13:48
35	Emergency Equipment Located in the Less than 90 Day Hazardous Waste Area	13:50
36	Cubic Yard Container Not Marked with Accumulation Start Date	13:52
37	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	13:56
38	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56
39	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56
40	A Picture of the Label Attached to the 55-Gallon Drum in Excess without Accumulation Start Date	13:56

Photo #	Description	[Time
41	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	13:56
42	55-Gallon Drums Storing Hazardous Waste Stored in a Satellite Accumulation Area in Excess near the Less than 90 Day Hazardous Waste Storage Area	14:05
43	55-Gallon Drum Marked with Accumulation Start Date	14:06
44	Cubic Yard Container Marked with Accumulation Start Date	14:06
45	Cubic Yard Container Marked with Accumulation Start Date	14:06

ATTACHMENT B

Checklist



LARGE QUANTITY GENERATOR INSPECTION

Division 20120000
WASTE & MATERIALS
MANAGEMENT PROGRAM

This Inspection Form, used for the inspection of facilities that generate over 1000 kg (2205 lbs) of non-hazardous waste in a calendar month or over 1 mg of acute hazardous waste in a calendar month, evaluates compliance with Wisconsin's Hazardous Waste Management Rules (Chapter SRS 660 - 010, Wis. Admin. Code).

Section 1: Waste Information

A. Hazardous waste determination has been made on each solid waste generated.	N	662.011
B. Waste determination was made correctly, considering the listed waste definitions and the characteristics of the waste, in light of the materials or processes used.	TBD	662.011(3)
C. Waste samples are analyzed by laboratories certified or registered under NR 149. Provide lab names and certification numbers.	TBD	662.011(3)(a)1
D. Generator keeps records of all waste determinations on-site for at least three years from the date the waste was last sent to a storage, treatment or disposal facility.	N	662.040(3)
E. Generator submitted a notification form and obtained an EPA ID#.	Y	662.012

Note: A subsequent notification should be submitted when there is an ownership or name change.

Section 2: Manifest, Pre-Transport Requirements and Off-Site Shipments

A. Generator initiated a manifest with all off-site shipments of hazardous waste.	Y	662.020(1)
B. The manifest is used according to the instructions in the appendix to 40 CFR part 262.	X	662.020(1)
C. The facility designated on the manifest is permitted or licensed to accept the waste.	Y	662.020(2)
D. For out-of-state shipments, a copy of the manifest is sent to the department within 30 days of receiving the signed copy from the designated facility.	Y	662.023(3)
E. Manifest continuation form, EPA form 8700-22A, is prepared according to the instructions in the appendix of 40 CFR part 262.	Y	662.020(1)
F. If the generator received a shipment back as a rejected load, the returned waste was accumulated in compliance with the container or tank standards for less than 90 days.	NA	662.034(13)
G. Upon receipt of the rejected shipment, the generator signed EITHER of the following: 1. Manifest Item 18c if the transporter returned the shipment using the original manifest. 2. Manifest Item 20 if the transporter returned the shipment using a new manifest.	NA	662.034(13)
H. A copy of the manifest signed by the generator is retained until the signed copy from the designated facility is received.	Y	662.040(1)
I. Copy of each manifest is kept for at least three years from the date of shipment.	Y	662.040(1)
J. Hazardous waste is packaged according to applicable DOT requirements before transport.	Y	662.030
K. Hazardous waste is labeled according to applicable DOT requirements before transport.	Y	662.031

Code/Star 1: C- Compliance CA- Compliance with Concern R- Returned to Compliance X- Non-Compliance NA- Inspected, Not Applicable ND- Inspected, Not Determined NI- Not Inspected

Noncode ? : Y- Yes N- No UN- Unknown

Notes : * Dept. approved alternate may apply No "box" is an open ended question



LARGE QUANTITY GENERATOR INSPECTION

Section 2: Manifest, Pre-Transport Requirements and Off-Site Shipments

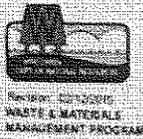
L. Hazardous waste is marked according to applicable DOT requirements before transport	Y	662.032(1)
M. Containers of 119 gallons and less are marked with the "Hazardous Waste-Federal law prohibit improper disposal" label before transport	Y	662.032(2)
N. Placards are offered to the initial transporter.	NI	662.033

Section 3: Land Disposal Restrictions

A. Generator determined if each waste is prohibited from land disposal by lab analysis or generator knowledge	TBD	668.07(1)
B. Generator complies with the prohibition against dilution of wastes	TBD	668.03
C. A one-time written notice was sent to each treatment, storage or disposal facility with the initial waste shipment.	N	668.07(1)
D. A new notification is sent to the TSD and maintained in the generator file when the waste or receiving facility changes.	TBD	668.07(1)
E. If the waste MEETS treatment standards, the LDR notice certifies wastes may be land disposed without further treatment.	TBD	668.07(1)
F. If the waste EXCEEDS treatment standards, the LDR notice gives notification of appropriate treatment and applicable prohibitions.	TBD	668.07(1)
G. A copy of the LDR notifications and certifications are retained for at least 3 years from the date the waste was last sent off-site	TBD	668.07(1)(h)
H. Underlying hazardous constituents have been identified for characteristic wastes.	TBD	668.09(1)
I. Generator identifies EITHER of the following when the waste is both a listed and characteristic waste: 1. The treatment standards for the listed waste code, in lieu of the treatment standard for the characteristic waste codes. 2. The treatment standards for all applicable listed and characteristic waste codes.	TBD	668.09(2)
J. If waste is treated in containers or tanks, the generator meets BOTH of the following (NR 668.07(1)(e)): 1. Developed a written waste analysis plan describing the procedures used to meet applicable LDR treatment standards. 2. Complies with the certification requirements in NR 668.07(1)(c)	TBD	662.034(1)(d)

Section 4: Annual Reports and Exception Reporting

A. Annual reports covering generator activities during the calendar year have been submitted to the Department by March 1 of the following year	Y	662.041
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LARGE QUANTITY GENERATOR INSPECTION

Section 4: Annual Reports and Exception Reporting

B. Transporter or TSD is contacted if signed manifest is not received in 35 days.	NA	662.042(1)
C. Exception report is submitted to the Department if a signed manifest is not received within 45 days.	NA	662.042(2)
D. Copy of each annual report and exception report is kept for at least 3 years from the date of the report.	Y	662.040(2)

Section 5: Preparedness and Prevention

A. Generator has ALL of the following, unless the equipment is not necessary for the types of wastes handled (NR 665.0032): 1. Device to summon emergency assistance (e.g., telephone, 2 way radio). 2. Internal communications and alarm systems. 3. Portable fire extinguishers. 4. Fire control equipment, including special extinguishing equipment. 5. Spill control equipment. 6. Decontamination equipment (e.g., eyewash, shower). 7. Water at adequate volume and pressure to supply water spray systems.	Y	662.034(1)(d)
B. All of the above emergency equipment is tested and maintained to assure its proper operation in an emergency (NR 665.0033).	Y	662.034(1)(d)
C. There is immediate access to internal or external alarms or an emergency communication device in hazardous waste handling areas (NR 665.0034).	Y	662.034(1)(d)
D. Generator has made ALL of the following arrangements with emergency organizations (NR 665.0037): 1. Primary and support roles have been defined if multiple police and fire departments could respond to an emergency. 2. Police, fire and emergency response teams are familiar with the site layout, hazards of the waste handled, places where personnel work, entrances and roads in the site and possible evacuation routes. 3. Agreements are made with emergency response contractors and equipment suppliers. 4. Local hospitals are familiar with the properties of wastes handled and the types of injuries or illnesses that could result from an emergency.	N	662.034(1)(d)
E. Aisle space provided throughout the facility to allow for the unobstructed movement of personnel and all emergency equipment (NR 665.0035).	N	662.034(1)(d)

Section 6: Contingency Plan and Emergency Procedures

A. Generator has a written contingency plan, amended SPCC plan or other emergency plan that will be implemented immediately in the event of a fire, explosion or hazardous waste discharge (NR 665.0051). If there is no written plan go to question 7.A.	Y	662.034(1)(d)
B. Generator has amended a SPCC plan or other emergency plan so it sufficiently incorporates hazardous waste management provisions (NR 665.0052(2)).	NA	662.034(1)(d)
C. Copies of the contingency plan and all revisions have been made available to police, fire, hospital and emergency response teams. (NR 665.0053(2)).	N	662.034(1)(d)



LARGE QUANTITY GENERATOR INSPECTION

Section 6: Contingency Plan and Emergency Procedures

<p>D. Contingency plan was amended due to ANY of the following (NR 665.0054):</p> <ol style="list-style-type: none"> 1. Contingency plan failed in an emergency. 2. Change in site design, construction, O&M, or other circumstances which affect emergency response. 3. Emergency coordinators changed. 4. Emergency equipment changed. 	Y	662.034(1)(d)
<p>E. Contingency plan identifies an emergency coordinator who meets ALL of the following (NR 665.0055):</p> <ol style="list-style-type: none"> 1. Available or on call to coordinate emergency response measures. 2. Familiar with all aspects of site activities and the contingency plan. 3. Has authority to commit the resources needed to carry out the contingency plan. 	Y	662.034(1)(d)
<p>F. Contingency plan includes ALL of the following (NR 665.0052):</p> <ol style="list-style-type: none"> 1. Designation of the primary emergency coordinator, with alternates listed in the order of assuming responsibility. 2. Name, address and phone number, office and home, for each emergency coordinator. 3. Description of the arrangements agreed to by the police, fire, hospitals and emergency response teams to coordinate emergency services. 4. Evacuation plan for personnel including signal(s) to be used in the event of evacuation and alternate routes. 5. Actions facility personnel will take in response to a fire, explosion, or hazardous waste discharge. 6. List of emergency equipment at the site, including location, description and capabilities of each item. 	Y	662.034(1)(d)
<p>G. Contingency plan requires the emergency coordinator to do ALL of the following in the event of a fire, explosion, or discharge of hazardous wastes (NR 665.0056):</p> <ol style="list-style-type: none"> 1. Activate internal alarms or communication systems. 2. Notify appropriate authorities, if their help is needed. 3. Identify the character, source, amount, and extent of discharged hazardous materials. 4. Assess hazards to human health and the environment. 5. If the incident threatens human health or the environment outside the facility, notify local authorities that evacuation may be necessary and notify the national response center (800-424-8802) and the division of emergency government (800-943-0003). 6. Take all reasonable measures necessary to ensure fires, explosions and discharges do not occur, reoccur, or spread. 7. Monitor for leaks, pressure buildup, gas generation or ruptures in valves, pipes, or other equipment if the site stops operation. 8. Provide for treating, storing, or disposing of recovered waste, contaminated soil, surface water, or other material. 9. Ensure wastes that are incompatible with the released material are not treated, stored or disposed until cleanup is completed. 10. Ensure that emergency equipment is clean and fit for use prior to resuming operations. 11. Notify the department and appropriate state and local authorities before resuming operations. 12. Submit an incident report to the department within 15 days. 	Y	662.034(1)(d)

Section 7: Personnel Training Requirements

<p>A. Generator has a program of classroom instruction or on-the-job training for personnel in hazardous waste management (NR 665.0016(1)(a)). If there is no training program go to question 8 A.</p>	Y	662.034(1)(d)
<p>B. Program is directed by a person trained in hazardous waste management procedures (NR 665.0016(1)(b)).</p>	Y	662.034(1)(d)
<p>C. Program teaches facility personnel hazardous waste management procedures relevant to the positions in which they are employed (NR 665.0016(1)(b)).</p>	Y	662.034(1)(d)



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Section 7: Personnel Training Requirements

D. Training program ensures personnel are able to respond effectively to emergencies by familiarizing them with the following applicable items (NR 665.0016(1)(c)).	Y	662.034(1)(d)
1. Contingency plan implementation		
2. Procedures for using, inspecting, repairing, and replacing emergency and monitoring equipment		
3. Key parameters for automatic waste feed cut-off systems		
4. Communications and alarm systems		
5. Response to fires or explosions		
6. Response to groundwater contamination incidents		
7. Shutdown of operations		
E. New employees are trained within 6 months of their assignment (NR 665.0016(2)).	TB	662.034(1)(d)
F. Employees work in supervised positions until they have completed the training (NR 665.0016(2)).	TB	662.034(1)(d)
G. Personnel take part in an annual review of the training (NR 665.0016(3)).	N	662.034(1)(d)
H. Generator keeps ALL of the following training documents (NR 665.0016(4)).	N	662.034(1)(d)
1. Job title and the employee name for each position related to hazardous waste management		
2. Job description for each of the above job titles		
3. Description of the amount and type of introductory and continuing training that will be given to each employee		
4. Records that required training has been given to each employee		
I. Training records are maintained until closure for current personnel and at least 3 years from the date the employee last worked at the facility (NR 665.0016(5)).	N	662.034(1)(d)

Section 8: 90-Day Container Accumulation

A. Waste is accumulated in containers. If NO, go to Section 9.	Y	
B. Accumulation start date is clearly marked and visible for inspection on each container.	N	662.034(1)(b)
C. All containers are clearly marked with the words "Hazardous Waste".	Y	662.034(1)(c)
D. If container is leaking or in poor condition, the contents are transferred to another container in good condition (NR 665.0171).	NI	662.034(1)(a)1
E. Containers are made of or lined with materials that are compatible with the waste (NR 665.0172).	Y	662.034(1)(a)1
F. Containers are kept closed, except when it is necessary to add or remove waste (NR 665.0173(1)).	Y	662.034(1)(a)1
G. Containers are opened, handled or stored to prevent leaks or ruptures (NR 665.0173(2)).	Y	662.034(1)(a)1
H. Container storage areas are inspected weekly for leaks and deterioration (NR 665.0174).	N	662.034(1)(a)1

Code/Stat: C - Compliance CA - Compliance with Consent R - Returned to Compliance N - Non-Compliance NA - Inspected, Not Applicable ND - Inspected, Not Determined NI - Not Inspected

Noncode: Y - Yes N - No U - Unknown

Notes: * Dept. approved alternate may apply No "dot" is an open ended question

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Section 8: 90-Day Container Accumulation

I. Containers of ignitable or reactive waste are located at least 50 feet from the property line (NR 665.0176)	Y	662.034(1)(a)1
J. Containers of incompatible wastes are separated or protected from each other by a physical barrier (dike, berm, wall or other device) (NR 665.0177(3))	Y	662.034(1)(a)1
K. Incompatible wastes are stored in separate containers unless the mixing will not generate extreme heat, fire, explosion, toxic gases or other dangers (NR 665.0177(1))	Y	662.034(1)(a)1
L. Containers that previously held waste are properly washed before adding incompatible waste unless the mixing will not generate extreme heat, fire, explosion, toxic gases or other dangers (NR 665.0177(2))	NA	662.034(1)(a)1

Section 9: Subchapter BB Standards for Equipment Leaks

A. Generator operates any of the following equipment containing or contacting hazardous wastes with organic concentration $\geq 10\%$ by weight. If NO, go to Section 10 (NR 662.034(1)(a), NR 665.1050(2)) <ol style="list-style-type: none"> 1. Pumps in light liquid service. 2. Compressors. 3. Pressure relief devices in gas or vapor service. 4. Sampling connection systems. 5. Open-ended valves or lines. 6. Valves in gas or vapor service or in light liquid service. 7. Pumps or valves in heavy liquid service. 8. Pressure relief devices in light liquid or heavy liquid service. 9. Flanges or other connectors. 	NA	
B. Equipment listed in Question 9.A. is excluded from subch. BB requirements because it is in vacuum service and individually listed in the facility operating record by an identification number (NR 665.1050(4), NR 665.1064(7)(e))		662.034(1)(a)
C. Equipment listed in Question 9.A. is excluded from subch. BB requirements because it operates < 300 hours per calendar year and is identified, either by list or location (area or group), in the facility operating record. (NR 665.1050(5), NR 665.1064(7)(f))		662.034(1)(a)
D. If the facility determines compliance with subch. BB by documenting compliance with Clean Air Act requirements, the documentation is readily available as part of the operating record (NR 665.1064(13))		662.034(1)(a)
E. ALL of the following information used to determine the applicability of exclusions in Questions 9.B. - 9.D. is maintained at the facility (NR 665.1064(11)) <ol style="list-style-type: none"> 1. Analysis determining the design capacity of the hazardous waste management unit. 2. Statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to subch. BB and an analysis determining whether these hazardous wastes are heavy liquids. 3. Up-to-date analysis and the supporting information used to determine whether or not equipment is subject to subch. BB. 		662.034(1)(a)
F. When knowledge of the nature of the hazardous waste stream or the process by which it was produced is used to determine the applicability of the exclusions, supporting documentation such as the following are maintained at the facility (NR 665.1064(11)) <ol style="list-style-type: none"> 1. Information that the production process does not use organic compounds. 2. The process is identical to a process at another facility where the total organic content was measured at <10%. 3. The process has not changed to affect the total organic concentration of the waste. 		662.034(1)(a)
G. The facility keeps records of new determinations performed when there are any changes that could result in an increase in the total organic content of the waste in contact with equipment that is not subject to subch. BB requirements (NR 665.1064(11))	Y	662.034(1)(a)



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Section 10: Subchapter CC Level 1 Container Standards

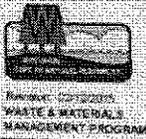
J. If a Level 1 container is filled to the final level in one continuous operation, the closure device is promptly secured in the closed position when the filling operation is concluded (NR 665.1087(3)(c)1 a)	NA	662.034(1)(a)1
K. If a Level 1 container is batch filled, the closure device is promptly secured in a closed position when the container is filled to the intended final level OR the batch loading is completed and any of the following first occurs (NR 665.1087(3)(c)1 b): 1. No additional material will be added within 15 minutes. 2. The person performing the loading operation leaves the immediate vicinity of the container. 3. The process generating the waste shuts down.		662.034(1)(a)1
L. If a Level 1 container is opened to remove hazardous waste, the closure device is secured in the closed position upon completion of a batch removal AND when either of the following first occurs (NR 665.1087(3)(c)2b): 1. No additional materials will be removed within 15 minutes. 2. The person removing the waste leaves the immediate vicinity of the container.		662.034(1)(a)1
M. If access to the inside of a Level 1 container is needed to perform routine activities other than the transfer of hazardous waste (e.g. sampling), the closure device is secured in the closed position promptly after completing the activity (NR 665.1087(3)(c)3)		662.034(1)(a)1
N. If a Level 1 container is equipped with a pressure relief device that vents to the atmosphere, ALL of the following conditions are met (NR 665.1087(3)(c)4): 1. The device is designed to operate with no detectable organic emissions (< 500 ppmv) when in the closed position. 2. The device is closed when the internal pressure is within the specified operating range. 3. The device opens and vents to the atmosphere only for the purpose of maintaining internal pressure according to the design specifications.		662.034(1)(a)1
O. Safety valves are only opened to avoid an unsafe condition (NR 665.1087(3)(c)5)		662.034(1)(a)1
P. When a defect is detected, initial repair efforts are made within 24 hours of detection and completed within 5 calendar days (NR 665.1087(3)(d)1)		662.034(1)(a)1
Q. If repairs cannot be completed in 5 days of detecting the defect, the waste is removed from the container which is not used until it is repaired (NR 665.1087(3)(d)3)	✓	662.034(1)(a)1

Section 11: Subchapter CC Level 2 Container Standards

A. The facility manages hazardous waste containers with a design capacity >119 gallons that are in light material service. If NO, go to Section 12.	NA	
B. Any of the following controls are used on Level 2 containers. (NR 665.1087(4)(a)) 1. Container meets applicable US DOT packaging requirements. 2. Each potential leak interface where organic vapor leakage could occur on the container, cover and closure device has been checked to determine that no detectable organic emissions (< 500 ppmv) are occurring. 3. The facility has demonstrated within the last 12 months that the containers are vapor-tight using Method 27 in appendix A of 40 CFR part 60.		662.034(1)(a)2
C. If the potential leak interface on the containers were checked, BOTH of the following were met. (NR 665.1087(4)(a)) 1. Checks were made on the interface of the cover rim and the container wall, the periphery of any opening on the container or container cover and its associated closure device, and the sealing seat interface on a spring-loaded, pressure-relief valve. 2. The test was performed when the container was filled with a material having a VO concentration representative of the hazardous waste expected to be stored in the container.	✓	662.034(1)(a)2

Code/Stat: C: Compliance CA: Compliance with Concern R: Return to Compliance X: Non-Compliance NA: Inspected, Not Applicable ND: Inspected, Not Determined NI: Not Inspected
Response: Y: Yes N: No UN: Unknown

Notes: * Dept. approved alternate may apply No 'box' is an open ended question



LARGE QUANTITY GENERATOR INSPECTION

Section 9: Subchapter BB Standards for Equipment Leaks

H. All equipment stated in Question 9.A. is excluded from additional subch. BB requirements. If NO, complete the subch. BB inspection form.

NA

Section 10: Subchapter CC Level 1 Container Standards

A. The facility manages hazardous waste in containers with EITHER of the following design capacities. If NO, go to Question 11.A. (NR 665.1087(2)(a), NR 662.034(1)(a)1).

1. Between 26 and 119 gallons.
2. Greater than 119 gallons and not in light material service.

NA

B. Containers are exempt from CC regulation because of ALL of the following (NR 662.034(1)(a)1, NR 665.1083(3)(a), NR 665.1084(1)(a)1, NR 665.1083(3)(a), NR 665.1084(1)(a)2, NR 665.1084(1)(b)).

1. The average VO concentration at the point of origination is <500 ppmw for all hazardous waste entering the container.
2. The initial determination of the average VO concentration for the waste stream was made before the material was placed in the container.
3. The initial determination is reviewed and updated at least once every 12 months.
4. A new waste determination is performed whenever changes to the source generating the waste stream likely causes the average VO concentration to increase to >= 500 ppmw.
5. The average VO concentration is determined by direct measurement or by knowledge. Note: See NR 665.1084(1)(c) for direct measurement procedures and NR 665.1084(1)(d) for using knowledge.

C. For each waste determination, the date, time, and location of each waste sample collected are maintained in the facility records (NR 665.1090(6)(a)).

662.034(1)(a)1

D. Containers are excluded from subch. CC because they are used to store or treat hazardous waste from organic peroxide manufacturing processes (NR 662.034(1)(a)1, NR 665.1080(4)).

Note: Certain records are to be maintained. Refer to 665.1090(9) for more information.

E. Containers are excluded from subch. CC because they are used solely to store or treat EITHER of the following (NR 662.034(1)(a)1, NR 665.1080(2), NR 665.1090(10)).

1. On-site remediation wastes generated through NR 700 or RCRA corrective action activities.
2. Radioactive mixed wastes in accordance with NRC requirements.

F. Containers are excluded from subch. CC because BOTH of the following are met (NR 665.1080(2), NR 665.1090(10)).

1. They are equipped with air emission controls operated in accordance with the Clean Air Act requirements.
2. Facility records include certification of such by the owner or operator and the specific air program compliance requirements for the containers.

G. All containers are excluded from subch. CC Level 1 standards. If YES, go to Section 11.

H. Any of the following controls are used on all Level 1 containers (NR 665.1087(3)(a)).

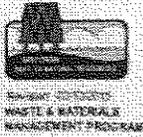
662.034(1)(a)1

1. Container meets applicable US DOT packaging requirements.
2. A cover and closure devices form a continuous barrier over the container openings such that when they are secured, there are no visible holes, gaps or other open spaces into the container.
3. An organic-vapor suppressing barrier is placed on or over the hazardous waste in an open-top container so that the hazardous waste is not exposed to the atmosphere.

Note: Level 1 standards do not apply to satellite accumulation or RCRA empty containers.

I. If Level 1 containers do not meet applicable US DOT packaging requirements, they are equipped with covers and closure devices composed of suitable materials that minimize exposure of hazardous waste to the atmosphere and maintain integrity of the covers and closure devices (NR 665.1087(3)(b)).

662.034(1)(a)1



LARGE QUANTITY GENERATOR INSPECTION

Section 11: Subchapter CC Level 2 Container Standards

D. The facility maintains a copy of the procedure used to determine that containers >119 gallons in size that do not meet DOT requirements are not managing hazardous waste in light material service. (NR 665.1087(3)(e))	NA	662.034(1)(a)2
E. Level 2 controls are used when transferring waste in or out of the container that minimize exposure to the atmosphere (submerged-fill pipe, vapor-recovery system, etc.) to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices. (NR 665.1087(4)(b))		662.034(1)(a)2
F. If the container is filled to the final level in one continuous operation, the closure devices are promptly secured in the closed position when the filling operation is concluded. (NR 665.1087(4)(c)1 a.)		662.034(1)(a)2
G. If the container is batch filled, the closure devices are promptly secured in a closed position upon filling the container to the intended final level, or when the batch loading is completed and ANY of the following first occurs: (NR 665.1087(4)(c)1 b.) 1. No additional material will be added within 15 minutes. 2. The person performing the loading operation leaves the immediate vicinity of the container. 3. The process generating the waste shuts down.		662.034(1)(a)2
H. If containers are opened to remove hazardous waste, closure devices are secured in the closed position upon completion of a batch removal and either of the following first occurs: (NR 665.1087(4)(c)2 b.) 1. No additional materials will be removed within 15 minutes. 2. The person removing the waste leaves the immediate vicinity of the container.		662.034(1)(a)2
I. If access to the inside of the container is needed to perform routine activities other than the transfer of hazardous waste (e.g., sampling), the closure device is secured in the closed position promptly after completing the activity. (NR 665.1087(4)(c)3.)		662.034(1)(a)2
J. If the container is equipped with a pressure relief device that vents to the atmosphere, the device meets ALL of the following conditions: (NR 665.1087(4)(c)4.) 1. Designed to operate with no detectable organic emissions when in the closed position. 2. Closed when the internal pressure is within the specified operating range. 3. Opens and vents to the atmosphere only for the purpose of maintaining internal pressure according to the design specifications.		662.034(1)(a)2
K. Safety valves are only opened to avoid an unsafe condition. (NR 665.1087(4)(c)5.)		662.034(1)(a)2
L. When a defect is detected, initial repair efforts are made within 24 hours of detection. (NR 665.1087(4)(d)3.)		662.034(1)(a)2
M. Repairs are completed within 5 days, or the waste is removed from the container which is not used until the defect is repaired. (NR 665.1087(4)(d)3.)	✓	662.034(1)(a)2

Section 12: Subchapter CC Level 3 Container Standards

A. The facility manages hazardous waste in containers having a design capacity >26 gallons during a waste stabilization process when hazardous waste is exposed to the atmosphere. If NO, go to Section 13.	NA	
B. The container is vented directly through a closed-vent system to a control device, or the container is vented inside an enclosure which is exhausted through a closed-vent system to a control device. (NR 665.1087(5)(a))		662.034(1)(a)2
C. If the container is vented inside an enclosure, the enclosure is operated according to the criteria for permanent total enclosures found in Method 204 in appendix M of 40 CFR part 51. (NR 665.1087(5)(b)1.)		662.034(1)(a)2
D. Records for the most recent set of calculations and measurements verifying the enclosure meets the criteria for a permanent total enclosure in Method 204 in appendix M of 40 CFR part 51 are maintained at the facility. (NR 665.1090(4)(a))	✓	662.034(1)(a)2

Code/Stat T: C: Compliance CA: Compliance with Concern R: Returned to Compliance X: Non-Compliance NA: Inspected, Not Applicable ND: Inspected, Not Determined NI: Not Inspected

Noncode Y: Yes N: No UN: Unknown

Notes: * Dept. approved alternate may apply No "box" is an open ended question

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Section 12: Subchapter CC Level 3 Container Standards

E. Level 3 controls are used when wastes are transferred in or out of the container that minimize exposure to the atmosphere (e.g., submerged-fill pipe, vapor-recovery system, etc.) to the extent practical, considering the physical properties of the hazardous waste and good engineering and safety practices. (NR 665.1087(5)(f))

NA 662.034(1)(a)2

Section 13: Satellite Accumulation

A. Waste is accumulated in satellite accumulation areas. If NO, go to Section 14

Y

B. Generator accumulates no more than 55 gallons of hazardous waste or 1 quart of acute hazardous waste in each satellite area

Y 662.034(3)(a)

C. Satellite containers are under the control of the operator of the process generating the waste.

Y 662.034(3)(a)

D. Containers are made of or lined with materials that are compatible with the waste (NR 665.0172)

X 662.034(3)(a)1

E. If a container is leaking or in poor condition, the contents are transferred to another container in good condition (NR 665.0171)

NA 662.034(3)(a)1

F. Containers are kept closed except when it is necessary to add or remove waste (NR 665.0173(1))

Y 662.034(3)(a)1

G. Containers are marked "Hazardous Waste" or with other words that identify the contents

Y 662.034(3)(a)2

H. Container holding the excess waste is marked with the date the excess amount begins accumulating

N 662.034(3)(b)

I. Generator complies with the 90 day accumulation requirements with respect to the excess amount within 3 days of it being generated.

TBD 662.034(3)(b)

Section 14: Waste Minimization

A. Generator includes waste minimization information in the annual report.

Y 662.041(3)(e)

B. Generator has a program in place to reduce the volume or quantity and toxicity of waste to an economically practicable degree.

Y 662.027(1)

Note: The inspector should look for evidence justifying the generator's waste minimization certification on the manifest. Also, EPA guidance recommends that the generator have a written waste minimization/pollution prevention plan.

Section 15: Used Oil

A. Used oil is managed on-site. If NO, go to Section 16

N



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Section 15: Used Oil

B. Used oil containing $\geq 1,000$ ppm halogens is managed as listed hazardous waste or the rebuttable presumption requirements have been met.	679.10(2)(a)2
C. Used oil containers and tanks are in good condition and not leaking.	679.22(2)
D. Used oil containers and tanks are marked "used oil".	679.22(3)(a)
E. Transporter has an EPA ID number, except when generator self-transport or has a tolling agreement.	679.24
F. If oil containing materials are disposed of as a solid waste, the used oil has been properly drained so there is no visible sign of free-flowing oil and a waste determination has been properly made.	679.10(3)(a)
G. If used oil is burned in an on-site used oil-fired space heater, all of the following are met: 1. Only used oil from the generator or household do-it-yourselfers is burned 2. The heater is designed with a maximum capacity of 0.5 million BTU per hour or less. 3. The combustion gases are vented to the ambient air.	679.23
H. If used oil is accepted from others or sent off-site to be burned in a space heater, the used oil meets fuel specifications and the marketer requirements in NR 679 subch. H are met.	679.11

Section 16: Universal Waste

A. The facility is a small quantity handler of universal waste (never accumulates more than 11,025 lbs). If NO, state in the comments section if the facility is a universal waste nonhandler, large handler or destination facility, and go to Section 17. Note: If the facility is a large handler, complete the large quantity handler of universal waste inspection form.	Y	
B. Universal waste has not been disposed, treated or diluted. Note: Dilution or treatment does not include: sorting, mixing, discharging, regenerating, or disassembling batteries; removing batteries from consumer products or removing electrolytes; removing thermostat ampules; or responding to a release of universal waste.	Y	673.11
C. Universal waste batteries and thermostats that are broken or show evidence of leakage or spillage are placed in closed, structurally sound containers that are compatible with the waste and not leaking.	NA	673.13
D. Universal waste lamps and pesticides are placed in closed, structurally sound containers that are compatible with the waste and are not leaking.	Y	673.13
E. All universal wastes are labeled or marked "Waste" or "Used" followed by the specific type of universal waste handled or "Universal Waste".	Y	673.14
F. Universal waste is accumulated for less than one year from the date generated or received from another handler.	Y	673.15(1)
G. If universal waste is accumulated beyond one year, the handler can prove that accumulation was necessary to facilitate proper recovery, treatment or disposal.	NA	673.15(2)



LARGE QUANTITY GENERATOR INSPECTION

Section 16: Universal Waste

H. Length of accumulation time is demonstrated by any of the following: 1. Each container is marked or labeled with the earliest date the waste is generated or received. 2. The individual item of waste is marked or labeled with the date it was generated or received. 3. An inventory system identifying the date the waste was generated or received is maintained. 4. The universal waste is placed in a specific accumulation area identified with the earliest date the waste was generated or received.	X	673.15(3)
I. Employees are trained on the proper handling and emergency procedures appropriate to the types of waste handled at the facility.	N	673.16
J. ALL of the following are met when a release occurs: 1. Release is immediately contained. 2. A waste determination is made. 3. Spill residue is disposed of properly as solid or hazardous waste.	NI	673.17
K. Handler sends the waste to a destination facility, foreign destination or another handler. Indicate the facilities in the comments section.	NI	673.18(1)
L. For hazardous materials, the handler packages, labels, marks, placards and prepares the proper shipping papers in accordance with DOT requirements in 49 CFR parts 172 to 180.	NI	673.18(3)
M. The following activities have occurred. If YES, complete the Universal Waste Small Quantity Handler inspection form: 1. Universal waste are sorted or disassembled. 2. Recalled pesticides are managed. 3. Universal waste shipments have been rejected. 4. Universal waste shipments have included hazardous or solid waste. 5. Universal waste is self-transported.	W	

Section 17: F006 Wastewater Treatment Sludge

A. Generator accumulates F006 sludge for more than 90 days. If NO, go to Section 15.	N	
B. The F006 waste is accumulated for no more than 180 days, unless the waste is shipped 200 miles or more.	NA	662.034(7)
C. Pollution prevention practices are in place to reduce the amount of contaminants entering the F006 waste.		662.034(7)(a)
D. The F006 waste is legitimately recycled through metals recovery.		662.034(7)(b)
E. No more than 20,000 kg (44,100 lbs) of F006 waste is accumulated on-site.		662.034(7)(c)
F. Accumulation containers meet subch. 1, AA, BB and CC standards in ch. NR 665.		662.034(7)(d)1 a
G. The accumulation start date is clearly marked and visible for inspection on each container.		662.034(7)(d)3
H. Accumulation tanks meet subch. J, AA, BB and CC standards in ch. NR 665, except for NR 665.0197(3) and NR 665.0200.	W	662.034(7)(d)1 b



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Section 17: F006 Wastewater Treatment Sludge

I. Each container and tank of F006 waste is clearly marked with the words "Hazardous Waste"	NA	662.034(7)(d)4
J. A containment building used for accumulation meets subch. DD standards in ch. NR 665, a P.E. certification stating compliance with the design standards is in the operating record AND written procedures and documentation for emptying the unit within 180 days are on file.		662.034(7)(d)1.c
K. The accumulation of F006 waste is included in the preparedness and prevention procedures, contingency plan and personnel training program.		662.034(7)(d)5
L. If waste is accumulated for up to 270 days, the generator must ship the waste over 200 miles for metals recovery.		662.034(8)

Section 18: Generator Status Evaluation

A. Waste is accumulated for less than 90 days, except as allowed in Sections 13 and 16.	Y	662.034(1)
B. More than 2,205 lbs. of non-acute hazardous waste; 2.2 lbs. of acute hazardous waste, or 220 lbs. of residue from cleanup of an acute hazardous waste spill is generated in any month (NR 662.190(1), NR 662.220(4)).	Y	
C. Describe other activities that the generator conducts at the facility (accumulation in tanks, recycling, 10-day transfer, transporter, used oil, treatment, storage, disposal, universal waste, etc.).		
D. If waste was previously accumulated in a tank system, the generator performed EITHER of the following (NR 665.0197(1), NR 665.0197(2)): 1. Closure by removing or decontaminating waste residues, contaminated containment system components, soils, structures and equipment. 2. Initiated long-term care if all contaminated soils cannot be practicably removed or decontaminated.	NA	662.034(1)(a)2

ATTACHMENT C
Document(s) Copied

CONTINGENCY PLAN

(10/20/14 – Replaces 7/16/13)

SUBJECT

10/7/12

SITE SAFETY ORGANIZATION

EMERGENCY RESPONSE PERSONNEL (TELEPHONE NUMBERS)

The phone number listing of those in charge of emergency situations according to the plan are posted within the facility and are kept readily available by the Emergency Coordinator and his/her alternates.

1. EMERGENCY COORDINATORS

Emergency Coordinator

Name: Brian Roper

Work# 414-427-0300
Home# 414-427-8732
Cell# 414-698-5151

Home Address: Walter Hagen Drive, Muskego, WI 53150

Alternate Emergency Coordinator #1

Name: Randy Kimball

Work# 618-281-9132
Home# 618-939-0281
Cell# 901-326-5994

Home Address:

Branch Operations Supervisor

Name: Dale Tebbe

Work# 618-281-9126
Home# 314-601-2574
Cell# 314-601-2574

Home Address:

Regional Regulatory Manager

Name: Brian Roper

Work# 847-785-7300
Cell# 847-878-1234



CONTINGENCY PLAN

(10/20/14 – Replaces 7/16/13)

SUBJECT

Supersedes
1017/12

BRANCH SAFETY ORGANIZATION

2. IN-HOUSE EMERGENCY RESPONSE TEAM(S)

Name	Duties
Brian Roper	Emergency Coordinator/Incident Commander
Randy Kimball	Alternate Emergency Coordinator #1
Tony Simon	Incident Commander (Hazwoper Spills)
Jamie Banak	Incident Commander (Hazwoper Spills)

Assembly Point Leaders (Evacuations)

Larry Mitsch Mark Maller Terry Aubry-Garrett Dale Tebbe

Fire/ Spill Control Team (HAZWHOPER members) & First Aid and CPR Team

Brian Roper	Walter Scott	Mike Perrault	Don Hall
Tony Simon	Bill DeBus	Joe Gwinn	Joy Kizor
Jamie Banak	Steve Johnson	Blair Walker	Amanda Philips
Mark Maller	Terry Willis	Dominique Howell	Don Werner
Ron Kaplan	Steve Sanders	Rodney Demoss	Alfonso Jimenez

CONTINGENCY PLAN

(10/20/14 – Replaces 7/16/13)

Supersedes 10/7112	SUBJECT BRANCH SAFETY ORGANIZATION
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3. EMERGENCY RESPONSE ASSISTANCE (Outside Contractors)

INFOTRAC	1-800-535-5053
National Response Center	1-800-424-8802
Ouray Environmental Services (Chemical Spill Assistance)	1-800-637-5471
Schneider Tank Lines (Hazardous Materials Transportation Assistance)	1-800-558-5091

Other Transporters who can provide
 Hazardous Materials assistance:

Phone# _____
 Phone# _____

State EPA	1-888-936-7463
State Emergency Response Team	1-800-847-9367
Poison Information Service	1-800-382-9097

4. LOCAL AUTHORITIES

Fire Department	911 or 262-694-8027
Police Department	911 or 262-694-7353
Ambulance	911
Hospital (St. Catherine's)	262-577-8150
Hospital (Memorial-Belleville)	262-948-5600



CONTINGENCY PLAN

(10/20/14 – Replaces 7/16/13)

SUBJECT
BRANCH SAFETY ORGANIZATION

Local Emergency Planning
Committee (Kenosha County)

1-262-605-7900

Bennett Schliesman (Director)

5. ADJACENT NEIGHBORS

Name

Rust-Oleum 1-262-947-0744

Honeywell 1-262-947-0720

Unified Solutions 1-262-942-5200

MG Design Associates 1-262-947-8890

Pepsi Beverages 1-262-694-2005

WE Energies 1-414-221-3333

Pleasant Prairie RecPlex 1-262-947-0437

Lakeview Technology Academy 1-262-359-8155

Central Storage 1-262-947-7800

6. OTHERS

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CONTINGENCY PLAN

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CONTINGENCY PLAN

(10/20/14 – Replaces 7/16/13)

OBJECTIVES:

This Emergency/Contingency Plan has two major purposes:

1. Assign responsibilities. The plan assigns specific authorities to key personnel for the implementation of emergency procedures.
2. Define specific procedures to be used by key personnel in the event of an emergency.

It provides a total facility response program applicable to any emergency. Responses required in the event of a specific type of emergency -- fire, explosion, chemical spill, hazardous waste incident or natural disaster -- are spelled out. It enables branch personnel, in the event of an emergency, to undertake actions that minimize any threat to the facility, employees, residential and business neighbors, company assets, adjoining properties, and to human health and the environment.

The plan should be kept in one location at the facility, accessible to anyone needing the plan in an emergency situation. Copies should be distributed to key personnel (those with responsibilities during emergency situations) and should be understood by all employees.

The plan is organized so that changes in personnel, procedures and regulations can be easily incorporated into the plan as they occur, assuring up-to-date information. Table 1 lists items that should be updated on a regular basis to assure the plan remains current.

Additional details for procedures outlined in this plan are found in three other EMCO CHEMICAL Inc. documents in the possession of each branch office:

1. Operating Standards Manual
2. Documentation Manual
3. Hazard Communication Manual

The contingency plan must be modified if any of the following conditions exist:

1. The facility RCRA Part 8 permit is revised (if applicable).
2. The Contingency Plan fails in an emergency.
3. The facility changes its design or operation, or for other circumstances that materially increases or decreases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency.
4. The list of emergency coordinators changes.
5. The list of emergency equipment changes.

Whenever the contingency plan is revised it must be redistributed to the local police and fire departments, local hospitals, and state and local emergency response agencies that may be called upon to provide emergency services. The revised plan must also be